United Nations A/66/504–S/2011/625

General Assembly
Security Council

Distr.: General
10 October 2011

Original: English

General Assembly
Sixty-sixth session
Agenda item 35
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-sixth year

Identical letters dated 7 October 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of Georgia dated 5 October 2011, on the seventeenth round of the Geneva discussions, held on 4 October 2011 (see annex).

I should be grateful if you would have the present letter and its annex issued as a document of the General Assembly, under agenda item 35, and of the Security Council.

(*Signed*) Shalva **Tsiskarashvili**
Chargé d'affaires a.i.

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Annex to the identical letters dated 7 October 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

5 October 2011

Statement of the Ministry of Foreign Affairs of Georgia on the seventeenth round of the Geneva discussions

The seventeenth round of the Geneva talks was held on 4 October 2011, during which the issues of security and stability in Georgia's occupied Abkhazia and Tskhinvali regions and the safe and dignified return of the internally displaced persons and refugees to the places of their habitual residence were discussed. On 4 October, meetings of the two working groups were held, in which participants took part in an individual capacity. Deliberations were moderated by the representatives of the United Nations, the European Union, and the Organization for Security and Cooperation in Europe and attended by participants from Georgia, the Russian Federation and the United States of America. Dimitri Sanakoev and the Chairman of the Government of the Autonomous Republic of Abkhazia, Giorgi Baramia, took part in the seventeenth round of the Geneva talks. Representatives of the proxy regimes from Tskhinvali and Sokhumi also participated in the working groups.

For the first time, the talks were attended by the new Co-Chairman, the Special Representative of the European Union for the South Caucasus and the crisis in Georgia, Philippe Lefort. The seventeenth round of the talks was also attended by the former Special Representative of the European Union, Pierre Morel. The Ministry of Foreign Affairs of Georgia would like to underline the ample contribution provided by Mr. Morel in forming and heading the working process of the Geneva talks and thanks him for his dedication, efforts, efficiency and creativity. The Georgian side also welcomes the new Co-Chairman from the European Union and wishes him success in this most responsible job.

The 4 October round once again vividly demonstrated that the Russian side and the Tskhinvali and Sokhumi proxy regimes do not intend to seriously consider the issues relating to security and stability and the return of internally displaced persons. Owing to the extremely politicized position of Russia, it is becoming impossible to achieve progress not only on the fundamental items of the agenda of the Geneva talks but also on the issues of a humanitarian character.

Still the Russian Federation refuses to accept the legally binding international obligation of the non-use of force against Georgia. And again, Moscow promoted the absurd idea that Russia is prepared to be the guarantor of peace and non-use of force in the region. Through this proposal, Russia strives to depict itself as the guarantor of peace rather than the party to the conflict which it actually is and which is responsible for encroachment on the territorial integrity of Georgia and for the violation of fundamental norms of international law and also for blunt violation of the ceasefire agreement of 12 August 2008. It is noteworthy to mention that all efforts made by Russia to stress its status as a "mediator" and a "peacekeeper" and to avoid the image of a party to the conflict totally fail. This approach is unequivocally shared

not only by Georgia but by the representatives of the Co-Chairmen and the United States of America as well.

The representatives of Georgia at the meeting of the first working group demanded from the Russian side that Moscow cooperate in the investigation of the terrorist acts undertaken by the Russian special services on the territory of Georgia over the past two years. Despite the fact that the Russian side was handed over the necessary documentation, the Georgian side has not yet received a formal answer to its legitimate request.

The first working group discussed specific steps that would contribute to the establishment of an international mechanism of stability in the occupied regions. Georgia shares the approach of the Co-Chairmen that the introduction of security and stability in the Tskhinvali region and Abkhazia should occur bit by bit through taking concrete steps. At the same time, the final establishment of security and stability will be possible only after the provisions of the ceasefire agreement of 12 August 2008 are fully implemented and after the Russian occupying forces withdraw from Georgian territory and international peacekeeping and police forces are deployed in the occupied regions.

The Co-Chairmen also proposed concrete ideas aimed at re-creating confidence between communities torn apart by the war and artificially created divided lines. An information session was also held on 3 October on confidence-building measures, at which the non-governmental organizations operating in the occupied regions delivered information on their activities to the participants in the Geneva talks. Sadly, at this stage, the Russian Federation and its proxy regimes did not turn out to be ready to support those ideas.

It is alarming that, in the second working group, Moscow and its proxy regimes refused to discuss issues relating to the safe and dignified return of internally displaced persons and refugees. All efforts made by the Co-Chairmen and the Georgian side to conduct discussions on the formulation of principles of return faced an impasse because of the rigid position of Moscow, Sokhumi and Tskhinvali.

During the seventeenth round, the representatives of the Georgian side, the Co-Chairmen and the United States made it crystal clear that they are concerned at the illegal arrests and prosecutions of local population who cross the administrative boundary lines. The Tskhinvali proxy regime currently detains 16 persons, who must be urgently and unconditionally freed. Georgia once again calls on the international community to pay attention to the fates of these people and continues to raise this issue in its talks with official Moscow.

The participants agreed that the eighteenth round of the Geneva talks would be held on 14 December 2011.

United Nations A/66/505

General Assembly

Distr.: General
7 October 2011

Original: English

Sixty-sixth session
Agenda item 80
United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 65/25. It covers the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law during 2011 and provides guidelines and recommendations for the execution of the Programme of Assistance in the biennium 2012-2013.

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I. Introduction

1. By its resolution 65/25, the General Assembly reiterated its authorization for the Secretary-General to carry out, in 2011, the activities specified in his report on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (A/64/495), submitted at its sixty-fourth session. In paragraph 21 of the same resolution, the Assembly requested the Secretary-General to report to it at its sixty-sixth session on the implementation of the Programme of Assistance during 2011.

2. The present report covers the implementation of the Programme of Assistance in 2011 in accordance with the guidelines and recommendations contained in the report of the Secretary-General to the General Assembly at its sixty-fourth session. It gives an account of the activities carried out under the Programme by the Office of Legal Affairs.

II. Implementation of the Programme of Assistance during 2011

A. Office of Legal Affairs

3. The activities of the Office of Legal Affairs are reflected in the relevant web page on international law (http://www.un.org/law). The websites of the Office referred to in the present report, as listed in the annex, may be accessed through that web page.

4. As in previous years, the Office of Legal Affairs received and assigned interns and externs to participate in the work of its divisions. The Office selects the individuals for these positions, arranges for the duration and type of their training and assigns them to projects, taking into account the needs of the Office as well as their particular interests and qualifications. The Codification Division of the Office also received and assigned postgraduate research assistants to participate in its work. Furthermore, the Codification Division cooperates with academic institutions in the preparation of studies of the *Repertory of Practice of United Nations Organs*. Interns, externs and research assistants bear all their own financial expenses.

1. Codification Division

Activities

5. The Codification Division is responsible for the implementation of the Programme of Assistance. The Division performs various functions, such as preparing reports of the Secretary-General and providing services to the Advisory Committee and the Sixth Committee on the related agenda item. It also maintains the website on the Programme of Assistance.

International Law Fellowship Programme

6. The International Law Fellowship Programme provides the most comprehensive international law training for lawyers from developing countries and countries with emerging economies under the Programme of Assistance. The fellows attend courses at The Hague Academy of International Law and special seminars

organized by the Codification Division, which cover a broad range of subjects relating to international law. Study visits are also arranged for the participants.

7. The International Law Fellowship Programme was held in The Hague from 4 July to 12 August 2011.[1] A total of 20 fellows (9 men and 11 women) as well as two self-funded participants (women) were selected for the Programme.[2]

8. The Hague Academy lectures included: "On what conditions is it possible for international law to be universal?" (M. Chemillier-Gendreau, Professor Emeritus, University of Paris VII); "Protecting general interests in the international community" (general course) (G. Gaja, Professor, University of Florence); "Developments in United Nations peacekeeping operations" (J. Cardona Lorens, Professor, University of Valencia); "State secession" (J. Dugard, Professor, University of Pretoria); "Interpretation of international law: theoretical and philosophical aspects" (D. Alland, Professor, University of Paris II); "Contemporary Chinese perspectives on international law" (H. Xue, Judge, International Court of Justice); "Influence of the multiplication of international courts and tribunals on the application of international law" (M. Iovane, Professor, University of Naples "Federico II"); and "United Nations High Commissioner for Human Rights and universality of human rights" (Z. Kedzia, Professor, Adam Mickiewicz University).

9. The special seminars organized by the Codification Division included: "Introduction to international law" and "Treaty law" (O. Corten, Professor, Université libre de Bruxelles); "State jurisdiction" (C. Greenwood, Judge, International Court of Justice); "State responsibility" and "Peaceful settlement of disputes" (K. Keith, Judge, International Court of Justice); "Codification and progressive development of international law" (Pierre Bodeau-Livinec, Professor, University of Paris VIII); "International environmental law" (L. Boisson de Chazournes, Professor, University of Geneva); "Law of the sea" (T. Treves, Judge, International Tribunal for the Law of the Sea, and Professor, University of Milan); "Rules of international law governing the use of force" and "The right to self-determination in international law" (A. Yusuf, Judge, International Court of Justice); "International criminal law" (R. O'Keefe, Deputy Director of the Lauterpacht Centre for International Law and Senior Lecturer in Law, University of Cambridge); "International trade law" (D. McRae, member of the International Law Commission and Hyman Solowav Professor, University of Ottawa); "International human rights law" (B. Ramcharan, former United Nations High Commissioner for Human Rights ad interim (2003-2004) and former Professor and Swiss Chair of International Human Rights Law at the Graduate Institute of International Studies, Geneva); "International humanitarian law" (T. Graditzky, International Committee of the Red Cross); "International organizations" and "Peacekeeping in international law" (M. M. Mbengue, Lecturer, University of Geneva); "Movement of persons" (S. Wolfson, Office of the United Nations High

[1] The Fellowship Programme was conducted in English in 2011 and will be conducted in French in 2012.

[2] A total of 322 applications were received from 106 Member States. Nineteen fellows were selected, from the following Member States: Albania, Botswana, Cambodia, China, Costa Rica, Dominican Republic, Egypt, Eritrea, Ethiopia, Grenada, Guatemala, India, Kenya, Nepal, Nigeria, Philippines, Uganda, United Republic of Tanzania and Vanuatu. In addition, one fellowship was awarded, to a candidate from Palestine. The two self-funded participants were selected from the Bolivarian Republic of Venezuela and the African Union. (Unfortunately, one participant failed to attend the Programme or to notify the Codification Division in time to enable a reserve candidate to participate.)

Commissioner for Refugees); and "Diplomatic and consular law" (E. Denza, former professor, University College, London).

10. Study visits were arranged for the fellows to: the International Court of Justice, with briefings by the Registrar (P. Couvreur) and the Head of the Information Department, A. Poskakukhin; the Peace Palace Library, with briefings by reference librarians C. Alihusain and O. Spijkers; the International Criminal Court, with briefings by the Second Vice-President, H.-P. Kaul, the Prosecutor, L. Moreno-Ocampo, the Deputy Registrar, D. Preira, and the Director of the secretariat of the Assembly of States parties, R. Villacis; the Permanent Court of Arbitration, with a briefing by the Legal Counsel, E. Triantafilou; and the Organization for the Prohibition of Chemical Weapons, with a briefing by the Legal Adviser, S. O. Laborde. In addition, the Secretary-General of The Hague Academy of International Law, Y. Daudet, met with the fellows.

11. The Codification Division researched and collected legal materials recommended by the lecturers for the courses. The Division utilized its desktop publishing programme for the technical preparation of eight volumes of training materials in hard copy. Furthermore, CD-ROMs were provided to facilitate electronic research for participants in developing countries.

12. The General Assembly reiterated its authorization for the Secretary-General to award a number of fellowships to be determined in the light of the overall resources for the Programme of Assistance and to be awarded to qualified candidates from developing countries, nominated by Governments or academic or other institutions, to attend the International Law Fellowship Programme in 2011 in accordance with paragraph 1 (a) of resolution 65/25.

13. Since 2010, the Codification Division has conducted the Fellowship Programme in The Hague as a necessary cost-saving measure to increase the number of fellowships (see A/65/514, para. 12). As a result, the funds provided by the regular budget were sufficient to award 19 fellowships in 2010 and 19 fellowships in 2011, compared with 12 in 2009. The Division will continue to perform all tasks related to the organization and administration of the Fellowship Programme as long as it has the necessary resources.

14. In order to achieve further cost savings, the Codification Division invited universities, institutions and organizations, as well as individuals, to make voluntary contributions (financial and in kind) and otherwise to assist in the implementation of the Fellowship Programme in accordance with paragraph 18 of resolution 65/25. The Registry of the International Court of Justice provided offices and related equipment as well as essential administrative and logistical support for the Programme. The Hague Academy of International Law provided a reduced tuition rate for the fellows. The Carnegie Foundation provided a seminar room as well as offices and related equipment for staff of the Codification Division and lecturers. The International Committee of the Red Cross and the Office of the United Nations High Commissioner for Refugees assumed all costs related to the participation of

their lecturers in the Programme. Finally, various publishers and law journals granted permission to include scholarly articles free of charge in the study materials prepared for the participants in the Fellowship Programme.[3]

Regional courses in international law

15. The Codification Division is also responsible for organizing regional courses in international law. These courses provide high-quality training by leading scholars and practitioners on a broad range of core subjects of international law, as well as specific subjects of particular interest to developing countries in a given region. The courses provide an important mechanism for expanding the international law training opportunities available to young lawyers from developing countries under the Programme of Assistance, given the limited number of participants who can be accommodated in the International Law Fellowship Programme. The courses also provide participants with an opportunity to focus on contemporary issues of international law of common concern in the region, with a view to promoting greater understanding and cooperation on such issues.

16. For the first time in 10 years, a regional course in international law was organized for lawyers from countries in Africa. The course was held in Addis Ababa from 7 to 25 February 2011.[4] The United Nations Economic Commission for Africa (ECA) provided a seminar room, offices, equipment and administrative assistance for staff of the Codification Division and lecturers. The African Union made a voluntary

[3] The Codification Division wishes to express its appreciation to the authors (L. Bartels, D. Bodansky, L. Boisson de Chazournes, I. Brownlie, A. Carty, B. S. Chimni, T. Christakis, W. Davey, C. de Visscher, K. Del Mar, E. Duruigbo, R. Falk, A. Farmer, T. Franck, T. Gazzini, R. Goldman, C. Gray, C. Heyns, K. Hnatt, J. Jackson, K. Keith, M. Killander, J. Klabbers, M. Kohen, R. Lukes, M. M. Mbengue, D. McKeever, D. McRae, M. Mutua, R. O'Keefe, N. Ochoa-Ruiz, J. Oloka-Onyango, B. Ramcharan, N. Ronzitti, E. Salamanca-Aguado, R. Steinberg, A. Sykes, C. Tams, the Stanley Foundation, T. Treves, M. Weller, B. Weston, R. Wilde, E. Wilmshurst and M. Wood), journals (*American Journal of International Law*, *American University International Law Review*, *Australian Yearbook of International Law*, *Berkeley Journal of International Law*, *Chinese Journal of International Law*, *European Journal of International Law*, *Fordham International Law Journal*, *George Washington International Law Review*, *Human Rights Quarterly*, *Journal of Conflict and Security Law*, *Journal of International Criminal Justice*, *Journal of International Economic Law*, *Journal of World Trade*, *Leiden Journal of International Law*, *Michigan Journal of International Law*, *New York University Journal of International Law and Politics*, *New Zealand Yearbook of International Law*, *Nordic Journal of International Law*, *Recueil des cours*, *Singapore Yearbook of International Law*, *Third World Legal Studies*, *UCL Human Rights Review*, *University of Chicago Law and Economics Working Paper Series* and *Vanderbilt Journal of Transnational Law*) and publishers (American Society of International Law; Arizona State University: Sandra Day O'Connor College of Law; Australian National University, Faculty of Law, Centre for International and Public Law; Berkeley Law, University of California, Berkeley; Brill Academic Publishers; Cambridge University Press; Chatham House; Johns Hopkins University Press; Martinus Nijhoff Publishers; National University of Singapore; Oxford University Press; Pedone/Hart Publishing Ltd.; United Nations Educational, Scientific and Cultural Organization; University of Canterbury, School of Law; Valparaiso University School of Law; Wolters Kluwer Law and Business) for the use of scholarly writings for academic purposes as part of the study materials for the Fellowship Programme.

[4] The regional course was conducted in English.

contribution of $20,000. A total of 32 participants (18 men and 14 women) attended the course.[5]

17. The seminars for this regional course included: "Introduction to international law", "State responsibility" and "Peaceful settlement of disputes" (S. McCaffrey, former member of the International Law Commission and Professor, McGeorge School of Law); "International humanitarian law" (U. Kadam, International Committee of the Red Cross); "International trade law" (M. M. Mbengue, Lecturer, Faculty of Law, University of Geneva); "International criminal law" (S. H. Song, President, International Criminal Court); "Law of the sea" (T. Treves, Judge, International Tribunal for the Law of the Sea, and Professor, University of Milan); "International human rights law" (B. Ramcharan, former United Nations High Commissioner for Human Rights ad interim (2003-2004) and former Professor and Swiss Chair of International Human Rights Law at the Graduate Institute of International Studies, Geneva); "Refugee law" (M. J. Medina and S. Panchoe, Office of the United Nations High Commissioner for Refugees); "The importance of international law in Africa in the twenty-first century" and "The use of force" (A. A. Yusuf, Judge, International Court of Justice), and "International environmental law" (E. Brown Weiss, Francis Cabell Brown Professor of International Law, Georgetown University Law Centre, and former Chair, World Bank Inspection Panel). The fellows also attended briefings on "The work of the Sixth Committee of the General Assembly" (R. Nega, Vice-Chair of the Sixth Committee at the sixty-fifth session of the General Assembly); "Codification and progressive development of international law" (V. Morris, Principal Legal Officer, Codification Division, Office of Legal Affairs); and "Researching international law" (H. Abdel Ghany, Associate Legal Officer, Codification Division, Office of Legal Affairs).

18. A study visit was organized to the African Union, which included the following lectures by Union officials: "The African Union in a nutshell" (B. Kioko, Legal Counsel); "The African human and peoples' rights system" (H. S. Salah, human rights expert); and "The African peace and security architecture" (A. M. Kambudzi, Secretary of the Peace and Security Council).

19. The Codification Division researched and collected legal materials recommended by the lecturers for the courses. The Division utilized its desktop publishing programme for the technical preparation of three volumes of training materials in hard copy. In addition, CD-ROMs were provided to facilitate electronic research for participants in developing countries.

20. Despite the increasing demand for international law training, it has not been possible to organize regional courses on a regular basis owing to a lack of financial resources and in the absence of a Member State available to serve as host country in accordance with United Nations procedures.

[5] A total of 79 applications were received from 32 African States Members of the United Nations. The 32 participants were selected from the following countries: Algeria, Botswana, Cameroon, Democratic Republic of the Congo, Egypt, Ethiopia, Gambia, Ghana, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Namibia, Nigeria, Sierra Leone, South Africa, Sudan, Uganda, United Republic of Tanzania, Zambia and Zimbabwe. Participants from the African Union and the United Nations Office in Burundi also attended the course.

21. The Codification Division continues to consider options for revitalizing this important training activity, including the possibility of identifying suitable locations for organizing these courses on a regular basis in Africa, Asia, and Latin America and the Caribbean. The Government of Ethiopia has indicated its willingness to host regional courses, with the courses being conducted in English or French. The Division will conduct a regional course in international law at ECA in Addis Ababa from 6 February to 2 March 2012 (in French) if it receives the necessary funding. Only one voluntary contribution has been received to support the regional courses in response to the request of the Secretary-General transmitted to Member States on 8 April 2011 pursuant to General Assembly resolution 65/25 (see para. 57 below). The Government of Thailand has indicated its willingness to host a regional course in Asia in 2012. The Government of Mexico has expressed interest in hosting a regional course in Latin America and the Caribbean in 2013. The Hague Academy of International Law has expressed interest in expanding its traditional cooperation with the Codification Division with respect to the Fellowship Programme to include these regional courses.

United Nations Audiovisual Library of International Law

22. The United Nations Audiovisual Library of International Law was created by the Codification Division in response to the increasing demand for international law training, in terms of both the number of individuals requesting such training and the increasingly broad sectors of national society represented by the lawyers requesting such training. The Library gives the United Nations the capacity to provide high-quality training on a global scale at relatively low cost. Any individual or institution anywhere in the world may access the Library free of charge on the Internet. As part of its dissemination activities, the Codification Division made presentations of the Library at the African Union in Ethiopia, the Chinese Society of International Law and the Asian Society of International Law in China and the Peoples' Friendship University of Russia and the Russian Academy of Justice in the Russian Federation.[6] The Library has been accessed by users in 191 Member States.

23. The Library is a virtual training and research centre with almost 300 faculty members from various countries and various legal systems who contribute to its three pillars, namely, the lecture series, the historical archives and the research library.

24. The lecture series includes more than 220 lectures by eminent international law scholars and practitioners on a broad range of subjects relating to international law. The lectures are recorded in one of the official languages of the United Nations. Thirty-four lectures have been interpreted into the other official languages in order to expand the global audience. Most of the lecturers travel to United Nations Headquarters at their own expense to record their lectures. In some instances, recording sessions are organized at other locations to facilitate the participation of lecturers from various countries and legal systems who are unable to travel to

[6] Similar presentations have previously been made in China, Japan, Mexico, the Netherlands, South Africa, Sweden, Ukraine and the United States of America.

New York.[7] The Codification Division is responsible for the substantive and technical aspects of the lecture series, including: the development of content; practical arrangements with lecturers, interpreters and recording facilities; audio-visual recording, technical editing and conversion for web streaming of lectures and interpretations; and the storage and preservation of audio-visual materials.

25. The historical archives provide a multimedia resource for teaching, studying and researching significant legal instruments on a broad range of subjects relating to international law. The archives contain introductory notes by leading authorities on the legal instruments, as well as procedural histories, related documents and archival audio-visual materials prepared by the Codification Division. They also contain 50 legal instruments, covering the period from 1945 to 2007. Entries for an additional 50 instruments are currently being prepared. New archival audio-visual materials relating to existing entries have been made available. Additional archival audio-visual materials have been identified for preservation and digitization.

26. The Codification Division has succeeded in preserving, digitizing and disseminating extensive audio-visual materials relating to the negotiation and adoption of these legal instruments, which constitute a unique educational resource for promoting a better understanding of the role of the United Nations in the progressive development and codification of international law. Regrettably, it has not been possible to do so with all such materials, particularly those relating to the early years of the Organization.

27. The research library provides an extensive online library consisting of (a) treaties, (b) jurisprudence, (c) publications and documents, and (d) scholarly writings. The Codification Division continues to expand the various components of the research library by identifying relevant materials and obtaining permission, as necessary, for the inclusion of such materials, in particular scholarly writings by faculty members. William S. Hein and Company, proprietor of HeinOnline, continues to provide significant support to the library by digitizing and providing access to such scholarly writings through the research library free of charge. The Division has concluded a licensing agreement with Oxford University Press to include selected publications and parts thereof in the research library.

28. In addition, the Codification Division is currently working on the conversion into Flash format of all existing and forthcoming audio and video materials included in the Audiovisual Library in order to meet the new technological requirements of the Department of Public Information.

[7] These lectures have been recorded at: the United Nations Office at Geneva; the United Nations Educational, Scientific and Cultural Organization; the World Trade Organization; Georgetown University Law Centre, Washington, D.C.; the University of the Pacific, McGeorge School of Law, Sacramento; the Lauterpacht Centre for International Law, Cambridge; the City University of Hong Kong; the National University of Singapore; the Seoul National University; the United Nations University; the International Criminal Tribunal for the Former Yugoslavia; the International Criminal Court; the International Labour Organization; the Russian Academy of Justice, Moscow; and the Peace Palace. In addition, Columbia Law School, Yale Law School and the MacArthur Foundation have provided copies of recorded lectures or speeches to be included in the lecture series of the Audiovisual Library. The International Court of Justice has provided a documentary film on the Court, to be included in the historical archives of the Audiovisual Library.

29. As noted during the presentation of the pilot project for the Library in 2007 and repeatedly thereafter, this is a major undertaking that exceeds the existing resources of the Codification Division. The Division will continue to further develop the Library only if it receives the necessary funding. Four Member States (Austria ($7,270), the Czech Republic ($938), Norway ($35,680) and Thailand ($3,000)) have made voluntary contributions to support the Library in response to the request of the Secretary-General transmitted to Member States on 8 April 2011 pursuant to General Assembly resolution 65/25 (see para. 57 below).

Publications

30. The Codification Division is responsible for the substantive preparation of numerous legal publications. It has continued its desktop publishing programme, subject to the resources available, to expedite the issuance of some of those publications. The following publications have been issued since the previous report:

(a) *United Nations Juridical Yearbook*: the 2004 *Yearbook* (Arabic), the 2005 *Yearbook* (Chinese) and the 2006 *Yearbook* (French). The 2010 edition of the *Yearbook* (English) has been issued, together with a CD-ROM version thereof. The Codification Division is exploring the possibility, depending on the resources available, of preparing a special volume of the *Yearbook* containing legal opinions not previously included in the publication, which was first published in 1963;

(b) *Reports of International Arbitral Awards*: volume 29 has been submitted for printing, and volumes 30 and 31 are under preparation;

(c) *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council*: the Secretariat has continued its efforts to reduce the backlog in these publications in accordance with General Assembly resolution 65/31. Their status is set out in the related report of the Secretary-General (A/66/201);

(d) *Yearbook of the International Law Commission*: the 2000 *Yearbook*, volume II (part I) (French and Spanish); the 2001 *Yearbook*, volume II (part I) (English, French, Russian and Spanish); the 2002 *Yearbook*, volume II (part I) (English, French and Spanish); the 2003 *Yearbook*, volume I (French) and volume II (part I) (English) and volume II (part II) (Arabic, English and French); and the 2004 *Yearbook*, volume I (English);

(e) *The Work of the International Law Commission*: all language versions of the seventh edition have been issued, and the eighth edition is in progress;

(f) *Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice*: the Chinese, French, Russian and Spanish versions of the third addendum, covering the period from 2003 to 2007, have been issued, and the Arabic version is under preparation. The Codification Division also provides advance electronic versions of the summaries of judgments, advisory opinions and orders delivered by the Court in all the official languages of the United Nations. This ensures the timely dissemination of information concerning the work of the Court and facilitates access to its latest jurisprudence, pending the publication of the fifth volume of the series (covering the period 2008-2012). In addition, the Division is exploring the possibility of providing similar summaries, in all official languages, of the judgments, advisory opinions and orders of the Permanent Court of

International Justice, in cooperation with the Registry of the International Court of Justice;

(g) *International Instruments related to the Prevention and Suppression of International Terrorism*: the Russian-language version of the third edition, prepared in collaboration with the United Nations Office on Drugs and Crime, was issued in 2011. The Chinese language version has been submitted for printing;

(h) *Legislative Series*: the Codification Division is exploring the possibility, depending on the resources available, of issuing a publication in this series relating to the responsibility of States for internationally wrongful acts, which would provide a consolidated compilation of decisions of international courts, tribunals and other bodies.[8]

Dissemination

31. In 1998, the Codification Division created its first website to expand the dissemination of international law materials around the world through the Internet free of charge. The Division currently maintains 21 websites, which are listed in the annex to the present report.

32. The dissemination of legal publications and information through the Internet, as well as other electronic media, is intended to supplement the limited numbers of hard copies, without prejudice to the unique value of printed materials for legal research and education, particularly in developing countries. These materials are provided free of charge on the Internet to promote the teaching, study, dissemination and wider appreciation of international law, in particular for lawyers in developing countries.

2. Division for Ocean Affairs and the Law of the Sea

Activities

33. Capacity-building activities in the area of ocean affairs and the law of the sea are considered under the agenda item entitled "Oceans and the law of the sea". Relevant information is provided in the report of the Secretary-General on the item (A/66/70 and Add.1 and Add.2).

Publications

34. During the period under review, the Division for Ocean Affairs and the Law of the Sea published the *Law of the Sea Bulletin*, Nos. 74 to 77, and the *Law of the Sea Information Circular*, Nos. 33 to 34.

Dissemination

35. The website of the Division provides information on almost all aspects of oceans and the law of the sea, including:

(a) The 1982 United Nations Convention on the Law of the Sea, the 1994 Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December

[8] See A/62/62 and Add.1 and A/65/76.

1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, including documentation related to the Meeting of States Parties to the 1982 United Nations Convention on the Law of the Sea, the informal consultations of States parties to the 1995 Fish Stocks Agreement and the Review Conference on the Fish Stocks Agreement;

(b) The Commission on the Limits of the Continental Shelf, the International Seabed Authority and the International Tribunal for the Law of the Sea;

(c) Dispute settlement issues, especially concerning the choice of procedure under article 287 of the 1982 Convention and declarations made under article 298, lists of arbitrators and conciliators and experts;

(d) The Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction;

(e) Texts of maritime boundary delimitation treaties and of national legislation concerning maritime zones;

(f) Capacity-building and training.

3. International Trade Law Division

Activities

36. Capacity-building activities in the area of international trade law are considered under the agenda item relating to the United Nations Commission on International Trade Law (UNCITRAL). Relevant information is provided in the report of UNCITRAL on its forty-fourth session (A/66/17) and in the note by the Secretariat on technical cooperation and assistance (A/CN.9/724).

Publications

37. During the period under review, the Division published *Case Law on UNCITRAL Texts* (CLOUT) abstracts Nos. 94 to 111; a CD-ROM containing the text of the UNCITRAL *Digest of Case Law on the United Nations Convention on the International Sales of Goods*; an e-book containing the text of the Convention, as corrected by the depositary, and a revised explanatory note; a booklet containing the text of the *UNCITRAL Practice Guide on Cross-Border Insolvency Cooperation*;[9] an e-book containing records of the proceedings of the UNCITRAL Congress entitled "Modern law for global commerce", held during the fortieth session of UNCITRAL (Vienna, 9-12 July 2007); a collection of UNCITRAL legal texts on CD-ROM; an annual report on the status of the adoption of UNCITRAL treaties and model laws (A/CN.9/723) and an UNCITRAL bibliography (A/CN.9/722). All documents are also available electronically from the UNCITRAL website.

Dissemination

38. The UNCITRAL website provides information on its texts and its ongoing work, as well as on case law on UNCITRAL texts, archival and research materials and other information relating to international trade law.

[9] United Nations publication, Sales No. E.10.V.6.

4. Treaty Section

Activities

39. The Treaty Section organized two training seminars at United Nations Headquarters, in December 2010 and April 2011,[10] on the registration of treaties and on depositary practice of the Secretary-General. The Section also participated in a training course held in Jakarta in October 2010 and organized by the Ministry of Foreign Affairs of Indonesia, the Asian-African Legal Consultative Organization, the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime for participants from States members of the African-Asian Legal Consultative Organization. "Treaty event 2011: towards universal participation and implementation" was held from 20 to 22 September and from 26 to 27 September 2011 at United Nations Headquarters.

Publications

40. The following publications have been prepared since the previous report:

(a) *United Nations Treaty Series*: 61 volumes have been submitted for publication pursuant to Article 102 of the Charter of the United Nations;

(b) *Treaty Series Cumulative Index*: the forty-fourth issue in English and French has been made available in hard copy and electronically on the United Nations Treaty Collection website;[11]

(c) *Monthly Statement of Treaties and International Agreements*: issues of this publication have continued to be published pursuant to article 13 of the Regulations to give effect to Article 102 of the Charter of the United Nations;

(d) The 2010 and 2011 treaty event publications have been printed in English and French, with electronic versions made available on the website of the Treaty Section.

Dissemination

41. The United Nations Treaty Collection website was further upgraded to offer various opportunities for legal research, through the integration of a broad range of search and retrieval tools. Information on published volumes of the *United Nations Treaty Series*, subsequent treaty actions and the issuance of related publications was disseminated on the website and through e-mail. In addition, the treaty database entitled "Status of multilateral treaties deposited with the Secretary-General", including its online version, was updated daily and made available to view and/or download from the website as web pages and documents in PDF format. The Treaty Section website also provides information on training seminars, the annual treaty event and any special events, as well as electronic versions of its publications.

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[10] The April 2011 training seminar was organized in collaboration with the United Nations Institute for Training and Research.

[11] See http://treaties.un.org.

5. Distribution of United Nations legal publications

42. Pursuant to paragraph 64 of the report of the Secretary-General on the Programme of Assistance submitted during the sixty-fourth session of the General Assembly (A/64/495) and paragraph 1 of Assembly resolution 65/25, reiterating authorization for its implementation, copies of United Nations legal publications issued during 2011 have been provided to the institutions in developing countries that have been receiving such publications under the Programme and to other institutions in a number of countries, in particular developing countries, for which requests for such publications have been made by the Member States concerned. In addition, William S. Hein and Company donated a set of the *Yearbooks of the International Law Commission* to the library of the African Union.

B. United Nations Office at Geneva

43. The International Law Seminar is considered under the agenda item relating to the International Law Commission. Relevant information is contained in the report of the International Law Commission (A/66/10).

III. Guidelines and recommendations regarding the execution of the Programme of Assistance in the biennium 2012-2013

44. The paragraphs below contain the recommendations requested by the General Assembly in paragraph 22 of its resolution 65/25. In formulating guidelines and recommendations, account has been taken of the fact that, in recent years, the Assembly has not provided for new budgetary resources for the Programme, instead financing such activities from the existing overall levels of appropriations and voluntary contributions.

45. The Office of Legal Affairs will continue its current activities under the Programme to the extent possible with the resources available.

46. The Office of Legal Affairs will continue to select and assign interns, externs and research assistants to participate in the work of its divisions, taking into account the needs of the Office and the qualifications of candidates, with due regard to geographical and gender representation.

47. The Codification Division is expected to perform the various functions described in the present report, depending on the level of the resources available.

48. *International Law Fellowship Programme*: 20 fellowships should continue to be awarded each year under the United Nations regular budget. Additional fellowships may be awarded from the trust fund of the Programme of Assistance, depending on the amount of voluntary contributions received each year. The Programme should also be open to a limited number of self-funded participants. The Codification Division will continue to perform all tasks relating to the organization and administration of the Fellowship Programme as long as it has the necessary resources.

49. Guidelines contained in the relevant General Assembly resolutions should be followed, in particular regarding the desirability of using, as far as possible, the resources (financial and in kind) and facilities made available by Member States,

academic institutions, professional associations, philanthropic foundations, interested national and international institutions and organizations and individuals, taking into account the need, in appointing lecturers for the seminars of the International Law Fellowship Programme, to ensure representation of the major legal systems and balance among various geographical regions, bearing in mind financial constraints. Every effort should be made to enhance and maintain the high quality of the lecturers and the seminars.

50. *Regional courses*: the Codification Division will conduct such courses if it has the necessary funding.

51. *Audiovisual Library of International Law*: the Codification Division will maintain and develop the Audiovisual Library of International Law if it has the necessary funding.

52. The Codification Division will continue its desktop publishing programme for the legal publications listed in paragraph 30 (a), (b), (e), (f) and (h) of the present report, as well as training materials, as long as it has the resources to do so.

53. The Treaty Section is expected to continue its technical assistance on the registration of treaties, depositary practice of the Secretary-General and final clauses, within existing resources.

IV. Administrative and financial implications of United Nations participation in the Programme of Assistance

A. During 2011

54. During 2011, the actual cost of producing and supplying publications to institutions in developing countries has fallen under the allocations relating to administrative and common services of the substantive programme budget to which each publication belongs.

55. Concerning the funding provided for the International Law Fellowship Programme, a total of $419,600 was included in the regular budget under section 8 (Legal affairs: grants and contributions) of the programme budget for the biennium 2010-2011.[12]

56. In its resolution 65/25, the General Assembly reiterated its request to Member States and interested organizations and individuals to make voluntary contributions towards the financing of activities under the Programme. Accordingly, on 8 April 2011 a note verbale was sent to Member States drawing their attention to that resolution.

57. In 2011, voluntary contributions were received for the Programme of Assistance from Chile ($10,000), Israel ($5,000) and Panama ($1,500) as well as for specific Programme activities: (a) for the International Law Fellowship Programme, from Cyprus ($2,516); (b) for the regional courses in international law, from New Zealand ($8,399); and (c) for the United Nations Audiovisual Library of International Law, from Austria ($7,270), the Czech Republic ($938), Norway

[12] This constituted a reduction from the final appropriation of funds allocated for this purpose for the previous biennium ($446,600).

($35,676) and Thailand ($3,000).[13] In addition, a pledge for contributions to the Audiovisual Library was received from Mexico ($5,000).

B. During 2012-2013

58. The cost of handling and shipping United Nations legal publications issued in 2012-2013 is covered by the estimates under the relevant sections of the proposed programme budget for the biennium 2012-2013.

59. With regard to the International Law Fellowship Programme, an amount of $420,000 is proposed in the programme budget for the biennium 2012-2013 under section 8 (Legal affairs), assuming that the General Assembly approves the recommendations on those programmes. In contrast to previous years, this amount is not expected to be sufficient to defray the cost of conducting regional courses in international law.

60. The Secretary-General will continue, if the General Assembly so decides, to request voluntary and in-kind contributions to the Programme.

V. Meetings of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

A. Membership of the Advisory Committee

61. The General Assembly, by its resolution 62/62, appointed the following 25 Member States as members of the Advisory Committee for the period from 1 January 2008 to 31 December 2011: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Jamaica, Kenya, Lebanon, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian Federation, Sudan, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States of America and Uruguay.

62. It is noted that the current membership of the Advisory Committee expires on 31 December 2011 and that members for the period from 1 January 2012 to 31 December 2015 will be appointed by the General Assembly at its sixty-sixth session.

[13] Voluntary contributions were received for the Programme of Assistance in 2010, after the preparation of the previous report of the Secretary-General on this item (A/65/514), from Trinidad and Tobago ($10,000), as well as for specific Programme activities: (a) for the International Law Fellowship Programme, from Ireland ($2,500), and (b) for the United Nations Audiovisual Library of International Law, from Finland ($12,683), Germany ($33,900), Ireland ($5,543), Italy ($5,000), the Netherlands ($50,000), Sweden ($25,000) and Switzerland ($24,975).

B. Consideration of the report of the Secretary-General by the Advisory Committee at its forty-sixth session

63. As part of the preparation of the report requested under resolution 65/25, the Secretary-General prepared a draft report, covering the activities carried out during 2011 under the Programme of Assistance, for consideration by the Advisory Committee.[14]

64. In order to discuss the draft report, the Advisory Committee held its forty-sixth session, on 7 October 2011. At the session, the representatives of the following members of the Committee were present: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Kenya, Lebanon, Malaysia, Mexico, Pakistan, Portugal, Russian Federation, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States of America and Uruguay.

65. The forty-sixth session was chaired by the Permanent Representative of Ghana, Ken Kanda.

66. Virginia Morris, Principal Legal Officer, Codification Division, acted as Secretary of the Advisory Committee; Hanna Dreifeldt Lainé, Legal Officer, Codification Division, acted as Deputy Secretary.

67. Prior to the consideration of the draft report of the Secretary-General (A/AC.117/2011/CRP.1), the Secretary of the Advisory Committee made a statement concerning the recent efforts by the Codification Division to strengthen and revitalize various activities under the Programme, as well as the financial challenges faced by the Programme.

68. During the session, several members of the Advisory Committee expressed their support for the Programme of Assistance, including the revitalization efforts undertaken by the Codification Division in recent years, and stressed its importance in the promotion of international law. There was general concern regarding the limited financial resources available to the Programme. There was support for ensuring the Programme's continuation and further development with adequate resources, in particular the United Nations Audiovisual Library of International Law and the regional courses in international law. The view was expressed that regular budget funding was the only way to ensure the continuation of these activities. Also expressed was the view that all Member States should contribute even a small amount of voluntary contributions to support the activities. In this context, there was support for exploring the possibility of lowering the programme support cost charged to the trust fund for the Programme of Assistance for activities of the Codification Division. There was also support for exploring the possibility of using the revenue generated by the sales of the legal publications prepared by the Codification Division, in particular those referred to in paragraph 52 above, as well as its training materials, to contribute towards the funding of the activities of the Division under the Programme that may not receive adequate resources from the regular budget. With respect to websites, the importance of search engines was emphasized, together with multilingualism.

[14] A/AC.117/2011/CRP.1.

Annex

Internet uniform resource locators for websites cited in the report and maintained by the Office of Legal Affairs

Website	*Uniform resource locator*
Treaty Section	
United Nations Treaty Collection	http://treaties.un.org
Division for Ocean Affairs and the Law of the Sea	
Oceans and the law of the sea	http://www.un.org/Depts/los/index.htm
International Trade Law Division	
United Nations Commission on International Trade Law	http://www.uncitral.org
Codification Division	
Codification of international law	http://www.un.org/law/lindex.htm
Sixth Committee of the General Assembly	http://www.un.org/en/ga/sixth
International Law Commission	http://www.un.org/law/ilc
Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization	http://www.un.org/law/chartercomm
Ad Hoc Committee on criminal accountability of United Nations officials and experts on mission	http://www.un.org/law/criminalaccountability
Ad Hoc Committee on the Administration of Justice at the United Nations	http://www.un.org/law/administrationofjustice
Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996	http://www.un.org/law/terrorism
Ad Hoc Committee on Jurisdictional Immunities of States and Their Property	http://www.un.org/law/jurisdictionalimmunities
Ad Hoc Committee on an International Convention against the Reproductive Cloning of Human Beings	http://www.un.org/law/cloning

Website	*Uniform resource locator*
Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel	http://www.un.org/law/UNsafetyconvention
Rome Statute of the International Criminal Court	http://untreaty.un.org/cod/icc
United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law	http://www.un.org/law/programmeofassistance
International Law Fellowship Programme	http://www.un.org/law/ilfp/
Regional courses in international law	http://www.un.org/law/rcil/
United Nations Audiovisual Library of International Law	http://www.un.org/law/avl
United Nations legal publications portal	http://www.un.org/law/UNlegalpublications
Repertory of Practice of United Nations Organs	http://www.un.org/law/repertory
United Nations Juridical Yearbook	http://www.un.org/law/UNJuridicalYearbook/index.htm
Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice	http://www.un.org/law/ICJsummaries
Diplomatic conferences (official records of proceedings)	http://untreaty.un.org/cod/diplomaticconferences
United Nations Reports of International Arbitral Awards	http://www.un.org/law/riaa

United Nations A/66/506

General Assembly

Distr.: General
10 October 2011

Original: English

Sixty-sixth session
Agenda item 123 (b)
Strengthening of the United Nations system: central role of the United Nations system in global governance

Global economic governance and development

Report of the Secretary-General

Summary

The present report, submitted in response to General Assembly resolution 65/94, focuses on the link between global economic governance and development in the aftermath of the world financial and economic crisis. Against the backdrop of the increasing relevance of economic governance for development, the report examines main features and shortcomings of the current system and reviews proposed options to address the various deficiencies and gaps of the existing framework. The approaches discussed in the report relate to the key areas of: strengthening the role and effectiveness of the United Nations system in economic governance, defining the relationship between the United Nations and the Group of Twenty (G20), enhancing the role of regional institutions and addressing related challenges. The report provides conclusions on ways to strengthen the international framework of global economic cooperation in support of development.

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I. Introduction

1. In its resolution 65/94, entitled "The United Nations in global governance", the General Assembly recognized the need for inclusive, transparent and effective multilateral approaches to managing global challenges and reaffirmed the central role of the United Nations in ongoing efforts to find common solutions to such challenges. The Assembly also requested the Secretary-General to submit an analytical report focusing on global economic governance and development, to be prepared in consultation with Member States and relevant organizations of the United Nations system. The present report is submitted in response to that request.

2. A note verbale was circulated to all Member States, seeking their views on the issue of global economic governance and development, and consultations were undertaken with the broader United Nations system through the Executive Committee on Economic and Social Affairs. The full text of replies received from Member States can be found on a dedicated website.[1] On 28 June 2011, the President of the General Assembly convened an informal thematic debate on the United Nations in Global Governance. An informal summary by the Secretariat and other background materials are posted on the same website.

3. In the present report, the term "global economic governance" refers to the role of multilateral institutions and processes in shaping global economic policies, rules and regulations. The report aims at highlighting possibilities for a strengthened international framework for global economic cooperation in support of development. However, it does not cover the institutional framework for sustainable development, particularly its environment pillar, one of the themes of the Rio+20 Conference, to be held in June 2012.

II. Relevance of global economic governance for development

4. The world has become more economically interdependent since the existing mechanisms of global economic governance were created more than 60 years ago. The sharp increases in trade and capital flows in recent decades have made individual countries, especially smaller and poorer ones, more susceptible to policies adopted by others. Individual welfare has also been affected. While some have benefited from this trend, others have fallen deeper into poverty and dependence. Yet, government policies and international arrangements for collective decision-making have not kept pace with changes. Existing governance arrangements do not adequately reflect the increased number of nation States and new economic realities, which have come about owing, in particular, to the increased importance of emerging market economies. Moreover, the absence of an institutional framework for effective consensus-building underscores divergent, and often conflicting, national interests, especially between developed and developing countries, and frequently hinders reaching implementable collective decisions.

5. Global governance systems need to be more capable of dealing with interconnected socio-economic challenges. They should facilitate more coherent and better-coordinated responses to crises and be supported by institutions that are representative, inclusive and effective. This includes being able to tackle global

[1] See www.un.org/esa/ffd/economicgovernance/index.htm.

economic imbalances; promote sustained, inclusive and equitable growth; advance multilateral trade agreements; enhance food and energy security; provide social protection for the poor and vulnerable; and strengthen mechanisms that reduce inequalities. Moreover, the governance of institutions should better reflect shifting economic weight among countries and be inclusive and representative while being equitable.

6. The recent financial crisis has emphasized the need to strengthen international macroeconomic policy coordination. Even where problems were well understood, there was little agreement on responsibilities in implementing cooperative actions. The challenge is to ensure that the international community will respond to global risks in a more timely, effective and cooperative fashion. For example, coordination should aim for mutually compatible policies on fiscal, monetary and exchange rate issues, and mechanisms should ensure policy accountability and implementation.[2]

7. Effective global economic governance is also of critical importance for achieving the Millennium Development Goals and implementing a post-2015 development framework (see A/66/126). With the adoption of the Millennium Development Goals, the international community recognized the increasing interdependence of the world's nations and peoples and the need to establish a framework to underpin inclusive and equitable globalization in the twenty-first century. Now, as ever, the challenge lies in effective implementation of the many commitments endorsed by the General Assembly and the Economic and Social Council for a more coherent and consistent global economic system in support of development.[3]

III. Salient features and deficiencies of existing global economic governance

A. Major building blocks and features

8. Global governance in economic and social areas features a highly decentralized system made up of many intergovernmental organizations with varied compositions, structures and purposes. Individual agencies take critical decisions within their areas of expertise in line with their own governance rules. Many are part of the United Nations system; yet, accountability for their policies does not extend beyond their membership, which can differ from one agency to another. Moreover, how countries are represented in these organizations varies widely, ranging from constituency-based systems, such as the executive boards of the International Monetary Fund (IMF) and the World Bank, to simple one-country-one-vote arrangements, as in the General Assembly.

9. A distinction should be made between the United Nations Organization proper, with its six principal organs, and the wider United Nations system of specialized agencies, funds and programmes. The existing architecture of global economic

[2] See United Nations, *World Economic Situation and Prospects 2011* (United Nations publication, Sales No. E.11.II.C.2), pp. 40-42.

[3] See, for example, the Monterrey Consensus of the International Conference on Financing for Development, the Doha Declaration on Financing for Development and the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development.

governance also includes a number of bodies not formally part of the United Nations system, such as the World Trade Organization (WTO), the Bank for International Settlements and the Financial Stability Board.

10. A multitude of processes and institutions involved in economic governance also exist at the regional and subregional levels, with structures that differ widely in depth, purpose and composition. Regional arrangements are in place, especially in three areas: (a) regional integration and economic policy coordination; (b) crisis prevention and mitigation; and (c) development financing. Most mechanisms have focused on trade, with looser provisions for other coordination. Comparatively high degrees of integration exist in Europe (the European Union), the Caribbean (particularly, within the Caribbean Community and the Organization of Eastern Caribbean States) and the Middle East (the Gulf Cooperation Council).

11. Regional and subregional development banks are recognized as effective for development financing, mainly providing investment, trade and project finance, supporting human development and stabilizing access to financial resources. They exist in every region, although with different priorities and strategies. Similarly, regional financial safety nets exist to prevent and mitigate financial crises.

12. The five United Nations regional commissions are important intergovernmental forums for policy dialogue and cooperation. They aim to foster economic integration at the regional and subregional levels, promote implementation of the Millennium Development Goals and support sustainable regional development.

13. Sovereign States have also often relied on informal arrangements and ad hoc groupings to deal with common concerns. Since the 1970s, global economic governance has increasingly involved small ad hoc groupings of States (namely, the G5, G7, G8, G10, G15, G24 and, most recently, G20). Some perceive these small groupings, which typically bring together countries sharing certain characteristics or common interests, to be more capable of taking timely action on pressing issues than the more inclusive international bodies. Meanwhile, driving many global economic and development issues within the United Nations system, the Group of 77 and China has helped promote the collective interests of developing countries and enhance their negotiating capacity.

14. Non-governmental organizations (NGOs) and the private sector have come to exert increasing influence on the global economic and social agenda. NGOs, representing civil society, have promoted development, with particular emphasis on social aspects, human rights, poverty eradication, gender equality and the environment. They are also involved in services once provided solely by Governments or intergovernmental organizations, including administering development programmes. Independent private organizations, like the World Economic Forum, have become important settings for multi-stakeholder dialogues. Over the past decade, the entire United Nations system has been increasingly recognizing the role and importance of the private sector, notably through major multi-stakeholder events such as the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002; the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002; the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, held in Doha from 29 November to 2 December 2008; and the Global

Compact, which has advanced the concept of corporate social responsibility. Private sector organizations, labour and interparliamentary unions and NGOs are also prominent in international standard- and norm-setting. Furthermore, the private sector has been instrumental in providing resources and expertise on the policy environment, technical programmes, advocacy and communication, knowledge management and resource mobilization.

B. Main deficiencies and gaps

15. Current institutional arrangements have often been unable to adequately address the range of pressing development issues, including reducing global economic imbalances, advancing a developmental multilateral trade agreement and reducing the adverse impacts of natural disasters. The effectiveness of the existing architecture has been compromised by interrelated deficits in legitimacy, accountability, transparency, efficiency and coherence.

16. The unique legitimacy of the United Nations is based on its providing a truly universal and inclusive multilateral forum for dialogue and norm-setting. However, this distinctive feature of the United Nations has been associated with the General Assembly principle of one-country-one-vote, which is perceived to hinder its ability to take timely decisions on pressing economic and social issues. According to some, the difficulties in speedily arriving at multilateral solutions have been further exacerbated by the nature of deliberations and group negotiations at the United Nations, which result in lowest common denominator outcomes. Consequently, actual global economic policy formulation and implementation has moved to specialized agencies, which operate under their own governance structures, even if formally part of the United Nations system.

17. In the Bretton Woods institutions, the weighted vote and constituency system attempted to strike a balance between representation of all countries and accounting for their economic weight. However, this system no longer achieves its intent. Thus, in recent years, IMF and the World Bank have seen important debates seeking to redress imbalances in voice and representation and move towards more responsive and accountable governance. Most developing countries believe these measures still fall short of achieving appropriate representation (see A/65/189 and A/66/167).

18. The World Trade Organization (WTO) is different from the World Bank and IMF in that decision-making power is not delegated to a board of directors or governors, or the organization's management. All major decisions are normally made by the membership as a whole, and normally taken by consensus. However, a common recent practice has been for the chairs of the negotiating groups to seek compromise by consulting in smaller groups. Some delegations are concerned that these so-called "Green Room" meetings are not transparent, lack clear rules of representation and can lead to important compromises being struck without full knowledge and understanding of their implications.

19. Moreover, many argue that, as most actual formulation and implementation of global economic policies takes place in autonomous agencies, particularly the

Bretton Woods institutions,[4] the United Nations has become increasingly marginalized in this regard.[5] Deliberations in the Economic and Social Council have not been able to attract the same degree of participation by senior officials from finance, trade and economic ministries as corresponding deliberations by the Bretton Woods institutions and WTO. Despite commitments reiterated by the international community to enhance the coordination role of the United Nations in global economic governance, many influential Member States seem to have greater confidence in other institutions and groupings where they may have greater influence.

20. This may, in turn, have contributed to weak accountability for commitments made at United Nations summits and conferences, as well as for decisions by the main United Nations organs. An important instance is the failure to fulfil official development assistance targets, a major failure in development cooperation. Other examples include the limited importance given to the follow-up mechanisms for the Monterrey and Doha Conferences on Financing for Development and the relative marginalization of the United Nations in crucial areas of development cooperation (e.g., aid effectiveness and taxation). Commitments made at United Nations conferences and summits have no effective surveillance or accountability mechanisms, while the decisions of the Economic and Social Council and its functional commissions have no binding power.

21. In addition to the above-mentioned shortcomings, there are overarching problems relating to a lack of coherence, coordination and cooperation across the overall system of global economic governance. In particular, the decentralized post-Second World War design of global cooperation for development lacks a strong coordination mechanism to guarantee system coherence. Addressing coherence challenges has thus been among the main priorities in recent United Nations reform efforts.

22. The Economic and Social Council is the main United Nations body tasked with ensuring coordination, coherence and cooperation among the relevant economic and social bodies. However, the powers assigned to it have been weak and not fully exercised. While the Charter of the United Nations gives the Economic and Social Council responsibility to make recommendations and take decisions, these are not binding on Member States or specialized agencies. Consequently, while Member States repeatedly reaffirm the role of the Council in promoting the overall coherence, coordination and cooperation of United Nations system activities in economic, social and related fields, the Council continues to face difficulties in effectively fulfilling this role.

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[4] The Bretton Woods institutions were established by the United Nations Monetary and Financial Conference held at Bretton Woods in 1944. General Assembly resolution 124 (II) of 15 November 1947 approved the relationship agreements (A/349) between the United Nations and the Bretton Woods institutions and assured them of their independence. Document E/2009/115 provides an overview of the implementation of the agreements between the United Nations and the Bretton Woods institutions, focusing in particular on innovative institutional arrangements for enhancing collaboration between them in the economic, social and related fields.

[5] Some are of the view that the rest of the United Nations system should leave economic policy advice to the specialized agencies. For them, this is ostensibly because the United Nations Secretariat has limited technical capacity to provide sound macroeconomic policy advice and/or focuses on narrow development concerns.

23. In the Monterrey Consensus of the International Conference on Financing for Development,[6] the United Nations, the World Bank and IMF, together with WTO, are encouraged to address issues of coherence, coordination and cooperation, in follow-up to the Conference, at the spring meeting between the Economic and Social Council and the Bretton Woods institutions. The 2005 World Summit strengthened Economic and Social Council functions as a forum for policy coordination and accountability by introducing the annual ministerial review and the biennial Development Cooperation Forum. However, achieving greater inter-agency collaboration continues to be a challenge.

24. At the inter-agency level, the main mechanisms for promoting coordination, coherence and information-sharing are the United Nations System Chief Executives Board for Coordination (CEB), the Executive Committee on Economic and Social Affairs and the United Nations Development Group.[7] Since its establishment in 2000, CEB has led to some improvement in inter-agency coordination. Its High-level Committees on Programmes and Management have developed more effective and coordinated approaches to system-wide concerns and reform processes. But the Board's potential has not been fully realized and its decision-making role has been underutilized. Overall, CEB lacks the coordination powers and accountability required for enhancing system-wide coherence.[8] Similar concerns apply to the Executive Committee on Economic and Social Affairs; while it has helped promote coherence in the work of various United Nations Secretariat entities, it needs to further enhance collaboration among its members, develop strategic priorities that can be pursued collectively and strengthen linkages between its normative and operational work. Recently, some "One United Nations" country pilots have succeeded in improving policy coherence and effectiveness of the United Nations development system at the country level. By further strengthening the United Nations resident coordinator system, the United Nations Development Group should enhance synergies and efficiencies to improve United Nations support for national development plans and priorities.

25. Inter-agency cooperation has been hindered by competition for funding and by outdated business practices. The High-level Panel on United Nations System-wide Coherence has highlighted operational incoherence among United Nations funds, programmes and agencies at the country level. For example, more than one third of United Nations country teams have 10 or more United Nations agencies on the ground, often weakening the coherence of programme interventions, and exacerbating shortcomings in efficiency, transparency and accountability. There is no system-wide mechanism in the United Nations to implement common rules and

[6] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[7] CEB, chaired by the Secretary-General, comprises the executive heads of 28 member organizations of the United Nations system. The Executive Committee on Economic and Social Affairs, convened by the Under-Secretary-General for Economic and Social Affairs, aims to promote common approaches among entities in the United Nations engaged in normative, analytical and technical work in the economic and social fields. The United Nations Development Group, chaired by the Administrator of UNDP, unites the 32 United Nations funds, programmes, agencies, departments and offices that play a role in development, with a view to coordinating, harmonizing and aligning United Nations development activities.

[8] See Delivering as one: report of the High-level Panel on United Nations System-wide Coherence in the areas of development, humanitarian assistance and the environment (A/61/583).

practices. Given the lack of incentives to harmonize for the benefit of the United Nations system as a whole, individual organizations pursue their own initiatives. United Nations system practices, processes and culture have evolved in an ad hoc manner over the years, often in response to specific situations and agency, country and donor needs. A more coherent development framework is therefore necessary to increase managerial accountability and effectiveness.[8]

26. At the global level, deficits in coherence, coordination and cooperation have meant that decisions on growth, finance, trade, employment and other issues are not always consistent with one another. Moreover, these challenges are sometimes compounded by limited coherence within the Governments of Member States. To reduce duplication and conflicting policy agendas, while better harnessing complementarities, it is crucial to more clearly define the roles of existing institutions.

27. Internationally consistent and effective financial regulation constitutes an urgent challenge. As the recent crisis suggests, better public oversight over and regulation of entities in the financial sector are urgent and indispensable. However, much of the existing international financial architecture relies on private organizations and institutions such as the Bank for International Settlements and the Financial Stability Board, which are limited in terms of their functions and not fully representative in terms of membership.

28. Another issue inadequately addressed by the multilateral system over recent years is the need for a comprehensive framework for sovereign debt restructuring (see A/66/164). This need has become more acute with the sovereign debt crises in some developed countries. Moreover, the growing importance of private and official non-Paris Club creditors in total external debt poses new challenges to official debt restructuring mechanisms, including the Paris Club, which requires its debtors to seek comparable treatment from other lenders, including private creditors.[9]

IV. Addressing deficiencies and gaps in global economic governance

A. Strengthening the role and effectiveness of the United Nations system

29. Enhancing the role and effectiveness of the United Nations system refers to the institutional architecture of global economic governance composed of the United Nations and specialized agencies, funds, programmes and other bodies. At the same time, strengthening the role of the United Nations organization within the wider United Nations system is critical, given its status as the only truly universal and inclusive forum, with its unique mandate to consider all issues in an integrated manner across its pillars of security, development and human rights.

[9] With regard to debt relief for poor countries, the Heavily Indebted Poor Countries Initiative, supplemented later by the Multilateral Debt Relief Initiative, had reduced the debt burden of eligible countries by over 80 per cent as of end 2010.

1. Recent intergovernmental mandates

30. The 2009 Conference on the World Financial and Economic Crisis and Its Impact on Development resolved to strengthen the role of the United Nations and its Member States in economic and financial affairs, including its coordinating role (see General Assembly resolution 63/303, annex, para. 16). The 2008 Follow-up Conference on Financing for Development to Review the Implementation of the Monterrey Consensus adopted the Doha Declaration on Financing for Development, in which it underscored the need for United Nations involvement to improve the functioning of the international economic and financial system (see General Assembly resolution 63/239, annex, para. 68). In response, United Nations intergovernmental bodies have been devoting considerable attention to the subject of global economic governance. Most recently, the General Assembly at its sixty-fifth session focused its general debate on reaffirming the central role of the United Nations in global governance. Similarly, the issue was discussed by the Economic and Social Council at its 2011 special high-level meeting with the Bretton Woods institutions, WTO and the United Nations Conference on Trade and Development (UNCTAD).

31. In the 2005 World Summit Outcome the General Assembly called for further strengthening the role of the Economic and Social Council as a forum for policy debate and consensus-building (see General Assembly resolution 60/1). Responding to those mandates, the General Assembly adopted resolution 61/16, in which it established the annual ministerial review to monitor progress made in implementation of the United Nations development agenda, including the Millennium Development Goals, and the biennial Development Cooperation Forum to review trends and progress in international development cooperation, including aid effectiveness.

2. Recent proposals for reform

32. Whereas there seems to be widespread agreement on the need for reform of United Nations bodies such as the Economic and Social Council, there is far less consensus on what needs to be done to achieve this objective. For instance, proposals for instituting a coordination and policymaking mechanism either call for the creation of new mechanisms or argue for strengthening the Economic and Social Council and/or other existing bodies.

33. There has been a recent proposal to create a new mechanism, a global economic coordination council at a level equivalent to that of the General Assembly and the Security Council.[10] The new mechanism would promote development, secure consistency and coherence in the policy goals of major international organizations and support consensus-building among Governments on efficient and effective options to enhance global economic governance. Representation in the council would presumably be based on a constituency system and designed to ensure that all regions and major economies are represented, with relevant global institutions participating in its work.

34. Other proposals build on existing arrangements. For example, one option would preserve the current composition of the Economic and Social Council, but

[10] See the recommendations of the Commission of Experts of the President of the General Assembly on reform of the international monetary and financial system (A/63/838), para. 24.

increase the political impact of its recommendations by holding an annual meeting at the level of Heads of State or Government to consider major decisions on global economic governance. These summits could be complemented by ministerial-level meetings on sectoral issues, primarily involving economic, finance and other relevant ministers. Another idea would reduce membership of the Council, rendering it a smaller, but more effective and high-profile, mechanism. For example, the High-level Panel on United Nations System-wide Coherence in the areas of development, humanitarian assistance and the environment proposed a Global Leaders Forum of the Economic and Social Council. The Forum would comprise the leaders of half of the Council's members, rotating on the basis of equitable geographic representation (see A/61/583, para. 59), or a combination of designated seats plus constituency-based seats. Yet another proposal would task the existing General Committee of the General Assembly to serve as a coordination committee on global economic governance, to be convened at least yearly at the summit level.[11] Interactions and collaboration among any such new mechanisms and the governing bodies of the Bretton Woods institutions and WTO must be carefully designed to be mutually complementary to ensure that these institutions see themselves as integral to the arrangement.

35. Proponents of such suggested mechanisms argue that the greater legitimacy, credibility and authority attached to their decisions would enhance coordination and cooperation across the United Nations system, in addition to ensuring more effective policymaking. Corresponding improvements in efficiency, accountability and transparency across the system must improve coherence and consistency among the various agencies. Most importantly, the representativeness of the proposed mechanisms, housed in the universal setting of the United Nations, would confer an authority to their decisions that cannot be matched by other bodies.[12]

36. Both the Global Economic Coordination Council and the Global Leaders Forum have been proposed as constituency-based, decision-making bodies. These could represent General Assembly or Economic and Social Council regional or other economic groupings. The approach should abide by the principles of democratic representation, transparency, inclusiveness and effectiveness. The effectiveness of such a system would not only depend upon the degree to which it can adopt and implement timely and practical decisions, but also upon its ability to ensure that the concerns of the entire United Nations membership are properly taken into account.

37. In the final analysis, any credible and workable mechanism of global economic governance should balance effectiveness with representation. This implies that it should involve a small number of actors; engage with a diverse group of countries; ensure participation based on simple and transparent criteria; and have the resources and clout to undertake and implement decisions.

Suggested targeted measures

38. The introduction of new or strengthened mechanisms requires significant political will on the part of United Nations Member States. In recent years, there has been considerable reluctance to create new structures or terminate existing ones. It

[11] Some have objected that the coordination committee would likely overlap with the work of the executive boards of the Bretton Woods institutions and would not receive the level of professional support that the IMF and World Bank secretariats provide to their boards.

[12] Membership of the Britton Woods institutions is nearly universal.

is a challenge to forge agreement on proposals to improve mechanisms, especially if they require amendments to the Charter of the United Nations. Besides such top-down changes, it would be useful to consider measures to enhance the functioning of United Nations organs and subsidiary machinery, improve coordination and efficiency, and strengthen engagement with non-State actors. These can be divided into three kinds of actions: (a) enhancing the functioning of relevant United Nations organs and subsidiary machinery; (b) promoting efficiency and coordination at inter-agency and operational levels; and (c) raising the credibility and profile of the United Nations.

(a) Enhancing the functioning of United Nations organs

39. With respect to the issue of improving the functioning of United Nations organs and their subsidiary machinery in the economic and social sphere, attention has focused on enabling the Economic and Social Council to better facilitate policy guidance and debate; promote coherence, coordination and cooperation within the United Nations system; and effectively follow up on United Nations conferences and summits.

40. In view of its coordinating role, the Economic and Social Council would be the ideal forum in which to assess issues and gaps related to the global economic governance architecture. Options to increase the credibility and effectiveness of the Economic and Social Council on the policy front include stronger relations with the Bretton Woods institutions, WTO and other relevant stakeholders, at both the secretariat and intergovernmental levels.

41. Practical changes that would enhance the coordinating role of the Economic and Social Council include greater engagement with national authorities at the operational/country levels, more focused Council functions and responsibilities, and better structured interaction between the Council and CEB. Better demarcating the roles and agendas of the General Assembly and the Council should allow the work programmes of both organs to be revised and made more complementary.

42. The Council's potential to facilitate a more efficient and integrated follow-up to United Nations conferences and summits should be better utilized. Forums like the annual ministerial review and the Development Cooperation Forum can increase accountability in implementation of internationally agreed development goals, including the Millennium Development Goals. To this end, proper systems of monitoring need to be instituted.[13] Knowledge and information sharing among relevant agencies and organizations within and outside the United Nations system remain crucial in this regard. In this context, the national voluntary presentations of the annual ministerial review need to be further strengthened and broadened to incorporate greater stakeholder involvement and technical inputs. Similarly, the Development Cooperation Forum should ensure complementarities and foster substantive linkages with other relevant forums to become a more effective platform for mutual accountability for the United Nations development agenda, including the Millennium Development Goals.

[13] Effective monitoring of progress towards commitments is dependent on global cooperation, especially among international agencies, and close consultation with national experts and statisticians.

43. The 2011 review of implementation of General Assembly resolution 61/16 on strengthening of the Economic and Social Council (see A/65/866, annex) resulted in a number of recommendations related, inter alia, to enhancing the relationship between the Council and other United Nations organs, specialized agencies, funds and programmes; strengthening the annual special high-level meeting of the Council with the Bretton Woods institutions, WTO and UNCTAD; focusing the Development Cooperation Forum agenda on a limited number of selected themes; enhancing the national voluntary presentations and preparatory work for the annual ministerial reviews; and improving the working methods of the Council.

44. The functioning of the General Assembly in the area of development and international cooperation can also be improved. For example, the implementation of the global partnership for development, embodied in the Monterrey Consensus and the Doha Declaration on Financing for Development, would be significantly strengthened by establishing a representative, multi-stakeholder financing for development committee at its centre, linked to the broader global economic governance mechanism under discussion.

(b) Promoting inter-agency coordination

45. The second category of proposed measures relate to actions to promote efficiency and coordination at inter-agency and operational levels. In its report, the High-level Panel on United Nations System-wide Coherence explored ways and provided recommendations to further strengthen the management and coordination of United Nations operational activities to improve the effectiveness of their contribution to the achievement of the internationally agreed development goals, including the Millennium Development Goals.[8] In response, the General Assembly adopted resolutions (resolutions 62/277 and 63/311) highlighting five key areas of concern: (a) strengthening institutional arrangements to support gender equality and women's empowerment; (b) strengthening governance of operational activities of the United Nations system for development; (c) improving the funding system of operational activities of the United Nations system for development; (d) "Delivering as one"; and (e) harmonization of business practices. In turn, the Secretary-General issued a report in 2009 providing, inter alia, options for improving the governance and financial reporting of operational activities for development, key principles for establishing an independent system-wide evaluation mechanism, and harmonization of business practices (A/64/589). The creation of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in 2010 is an important landmark, reflecting significant progress for system-wide coherence and coordination within the United Nations.

46. In order to promote robust oversight, careful and improved performance, and results on the ground, it is important to establish clear lines of accountability among the governing bodies of the various United Nations agencies. Ultimately, this level of coordination implies an effective, legitimate and high profile governing mechanism for the United Nations system. Currently, such a system exists at the Secretariat level through CEB, which has advanced inter-agency coordination, but has not yet utilized its full potential. This year, CEB made noteworthy progress in the implementation of the Plan of Action for the Harmonization of Business Practices in the United Nations System and the adoption of a coordinated system approach for a fairer, sustainable globalization (see A/66/1, para. 110). However, its interaction with United Nations intergovernmental bodies needs to be strengthened.

47. Strengthened intergovernmental mechanisms should help the United Nations system deliver as one at the global, regional and country levels. In this connection, the High-level Panel on United Nations System-wide Coherence proposed the establishment of a Sustainable Development Board to replace the annual joint meeting of the executive boards of the funds and programmes.[8] The Board could be re-envisaged to include other relevant agencies and multilateral institutions. It would maintain strategic oversight of the system, review implementation of global normative and analytical work of the United Nations in relation to "One United Nations" at the country level, oversee management of funding mechanisms for the United Nations development agenda, endorse country development programmes and approve related allocations.

(c) Engaging non-State actors

48. The third category of suggested measures needs to raise the United Nations profile as a centre of analysis and a forum for global dialogue and consensus, with partners from the private sector, civil society, academic bodies and think tanks. Over the past few decades, intergovernmental processes within the United Nations system have increasingly been complemented by a growing array of engagement frameworks that bring Member States together with non-State actors in joint initiatives for policy analysis, action and evaluation. There are a number of areas where the United Nations, both at the Secretariat and intergovernmental levels, could further enhance the contribution of those actors.

49. Progress to facilitate non-State actor engagement in intergovernmental processes at the United Nations should continue. Closer engagement should also enhance their accountability at the global level. Apart from existing formal arrangements, such as consultative status with the Economic and Social Council, additional engagement mechanisms should be considered to enable Member States to seek timely input and expertise on new challenges and emerging issues. For example, in the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development the Economic and Social Council was requested to make recommendations to the General Assembly regarding the possible establishment of an ad hoc panel of experts to provide independent technical expertise and analysis, "which would contribute to informing international action and political decision-making and fostering constructive dialogues and exchanges among policymakers, academics, institutions and civil society" (resolution 63/303, annex, para 56 (e)).[14] The Council recommended that the possible establishment of an ad hoc panel of experts should be further considered by the General Assembly, taking into account the outcomes of various related processes (Economic and Social Council resolution 2011/39).

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[14] The panel of experts could also contribute to strengthening global economic monitoring. In this regard, an evaluation of the performance of IMF surveillance in the run-up to the global crisis by the IMF Independent Evaluation Office had identified a number of shortcomings. In response, the IMF has taken steps to enhance its surveillance activities (for a detailed discussion see IMF, Independent Evaluation Office, "IMF Performance in the Run-Up to the Financial and Economic Crisis: IMF Surveillance in 2004-07", 2011; *World Economic and Social Survey 2010: Retooling Global Development* (United Nations publication, Sales No. E.10.II.C.1) chap. V; and A/66/167). For a discussion of past terms of reference and any relevant factors or experience of previous ad hoc panels of experts, see E/2009/113.

50. Engagement with non-State actors could also be further strengthened through multi-stakeholder initiatives. Functional commissions and follow-up processes to major United Nations conferences and summits have increasingly engaged non-State actors in their meetings and sessions. Informal arrangements for multi-stakeholder forums to promote greater engagement of non-State actors should be explored further.

B. Evolving relationship between the United Nations and the Group of Twenty

51. The emergence of the G20 as a high-level forum for international economic cooperation reflects the perceived problems of the existing Group of Seven (G7) finance ministers' forum and the increasing importance of several emerging economies in the global economy. However, concerns remain relating to the seemingly arbitrary selection of the group and its implications for other economies. These concerns suggest that the G20 should engage more systematically with the wider United Nations membership to better complement the multilateral system at large.

52. The limited membership of the G20 is seen by many as helpful for more effective and timely decision-making by key economic players. This perception has been reinforced not only by the G20 leaders' effective early response to the recent financial crisis, but also by other measures, such as reinforcement of the financial resources and reform of the lending facilities of IMF and provision of relief for Haiti's debt to international financial institutions. In financial regulation reform, the G20 has played a role in accelerating the replacement of the Financial Stability Forum with the Financial Stability Board. It has also made commitments to improve representation of developing countries in the Bretton Woods institutions.

53. While reaching consensus by involving only a small number of countries speeds up decision-making, the universal membership and inclusiveness of the United Nations helps ensure that its intergovernmental agreements better address macrofinancial and developmental concerns, including both immediate and longer-term issues, as well as those of non-G20 member countries. Hence, the G20 would enhance its legitimacy and effectiveness through greater consultation with and accountability to the wider membership of the United Nations and the broader multilateral system on the policy/operational front.

54. The operational activities of the United Nations system have been crucial in complementing the macroeconomic and financial actions of the G20, particularly in addressing the needs of the poorest countries and their most vulnerable populations. The United Nations system set in motion coordinated responses to the crisis, particularly the nine joint crisis response initiatives established by CEB (see E/2009/114, sect. III). These include additional financing for the most vulnerable, food security, trade financing, green recovery initiatives, a global jobs pact, a social protection floor and better monitoring and analysis, including developing an effective early warning system. All these initiatives represent collaboration among agencies deemed best able to undertake them.

55. Despite its limited membership, consensus-building in the G20 has been challenging. For instance, there is currently a stand-off on global imbalances and associated exchange rates, because of the inability to agree on the roots of the

problem or reforms to address them. The transition from crisis management to becoming a more established forum for economic cooperation on a broader range of issues brings up questions concerning how the G20 will deal with international problems, including climate change, other environmental challenges, employment issues, food and energy processes and corruption. Its ability to address such issues can be enhanced through improved relations with the broader United Nations membership.

56. The G20 has demonstrated greater willingness to involve non-members and foster new arrangements with relevant stakeholders within the United Nations system, including the Bretton Woods institutions, the International Labour Organization (ILO), the Food and Agriculture Organization of the United Nations (FAO) and UNCTAD, as well as WTO, the Organization for Economic Cooperation and Development (OECD), the Financial Stability Board, the Bank for International Settlements, civil society and the private sector. For example, at their Toronto Summit, G20 leaders made commitments to cooperate closely with the Bretton Woods institutions and to establish a working group on development. The Seoul Summit Declaration complemented existing development commitments, particularly the High-Level Plenary Meeting of the General Assembly on the Millennium Development Goals. During 2011, several United Nations organizations have engaged with G20 members in implementing the Seoul Multi-Year Action Plan on Development, particularly the food security pillar. By and large, international organizations contribute by providing technical expertise for reports and proposals. The G20 has called for enhanced food security policy coherence and coordination and welcomed progress on the Global Agriculture and Food Security Programme, as well as other bilateral and multilateral initiatives, including the Committee on World Food Security.

57. Calls for better relations between the United Nations and the G20 persist, such as that by some 28 small and medium-sized States Members of the United Nations, known as the Global Governance Group. The Global Governance Group has proposed several ideas to improve and institutionalize this engagement, including: (a) holding regular consultations with Member States; (b) formalizing the participation of the Secretary-General and other United Nations representatives at G20 summits and preparatory meetings; (c) engaging regional organizations; and (d) introducing a "variable geometry" configuration, whereby relevant representatives of non-Member States participate in working groups and other meetings on issues of specific concern to them.

58. It is crucial to ensure the complementarity of efforts among the G20, the United Nations and other multilateral organizations. During the 2011 special high-level meeting of the Economic and Social Council with the Bretton Woods institutions, WTO and UNCTAD, some participants called for a transparent institutional coordinating mechanism between the G20 and the international organizations that implement their decisions, especially the Bretton Woods institutions, to identify and harness the strengths of all parties and to minimize problems of global economic governance and coordination (see A/66/75-E/2011/87).

59. The Global Governance Group also called for transparent interactions between the G20 and international organizations following agreed modalities. When international organizations are asked to implement G20 decisions, these should be referred to the organizations' formal governing bodies for appropriate consideration

and endorsement, as has been the case for the Bretton Woods institutions. In this connection, it was also recommended that studies carried out by international organizations for the G20 be routinely made available to all Member States and, where appropriate, discussed with them (see A/65/857, annex).

60. It has also been suggested that the G20 can play a catalytic role in promoting alliances between member and non-member countries and building political momentum on complex new issues such as climate change and international tax cooperation, especially by helping forge prior consensus among its members.

61. Suggestions have also been made to develop the G20 into a more formal and representative mechanism of international cooperation and to reconcile the tension between inclusiveness and effectiveness, including discussions on establishing a permanent secretariat for the Group. If such proposals gain support, consideration will need to be given to where the G20 would best fit into the institutional global economic governance architecture, including the United Nations system itself.

C. Enhancing the role of regional institutions

62. Regional institutions and arrangements have the potential to strengthen the existing architecture of global economic governance. They are well placed to capture and respond to specific regional needs and demands, especially for small countries. With deeper knowledge of the regions they operate in, they can better tailor programmes and instruments to country needs. While IMF can play a central role in macroeconomic coordination and surveillance at the global level, similar processes at the regional and subregional levels can complement and augment that role.[15] For example, some regional commissions have been supporting the regional economic communities in macroeconomic convergence policies.

63. While smaller and poorer countries are often most affected by global rules, they usually have little say in their design. Strengthening regional arrangements can help provide better representation for smaller, poorer countries and a stronger voice and ownership for them. Stronger regional institutions can also contribute to the development of a more consistent voice for a region in global forums.

64. Regional arrangements can also be beneficial in providing services to small and medium-sized countries, such as technical support or liquidity financing. Owing to their small size, the power of these countries to negotiate with large organizations is limited, and they will therefore benefit from enhanced competition in provision of financial and other services.

65. Globalization has enhanced intraregional trade and investment flows, increasing the potential for spillover effects. This provides the rationale for strengthening regional mechanisms for policy coordination, macroeconomic dialogue and surveillance, as well as developing regional crisis management instruments. Regional cooperation has the potential to help countries better mobilize resources, reduce costs and benefit from economies of scale.

[15] Whereas IMF also has a regional surveillance function, regional organizations may be better placed to fulfil this role, given their knowledge of countries, trends and conditions in their regions, particularly during regional crises.

66. There is significant scope for strengthening, consolidating and establishing regional mechanisms as part of a multilayered system. The coexistence of global, regional and subregional arrangements may mean that services are provided on a complementary basis in some cases and on a competing basis in others. The benefits of such an arrangement would be greater stability, owing to the fact that services are provided by more diverse institutions, as well as greater balance, owing to greater voice and representation for smaller countries.

67. The international community should explore synergies within such a multilayered network. For example, one proposal sees IMF as the apex of a network of regional and subregional reserve funds and swap arrangements, and another as a network of regional financial and monetary mechanisms collaborating through a global secretariat.[16]

68. As an initial step, it will be necessary to establish and strengthen linkages between the regional and the global levels. Regional agreements could inform global processes and vice versa. Within the United Nations, this could take place through a strengthened Economic and Social Council, and the coordination, catalytic and convening roles of the regional commissions. The capacity of the regional commissions should be strengthened to enable them to articulate a common regional position on the annual thematic focus of the annual ministerial review of the Economic and Social Council.

D. Addressing related challenges

69. There are important additional challenges relating to global economic governance that require serious consideration. These include the need to strengthen the representation of developing countries in non-United Nations bodies,[17] enhance the effectiveness of frameworks for resolving pressing economic issues currently addressed outside the United Nations system and strengthen South-South and triangular cooperation.

70. Further reform is needed to achieve more effective, adequate and legitimate country representation in the Bretton Woods institutions. In the Outcome of the 2009 Conference on the World Financial and Economic Crisis and Its Impact on Development, Member States reiterated that selection of the heads of the Bretton Woods institutions needs to be fully open, merit-based and transparent, with due regard to gender equality and geographical and regional representation (see General Assembly resolution 63/303, annex, para. 49). Similarly, efforts should be made to strengthen the representation of developing countries in other standard- and norm-setting bodies, such as the Bank for International Settlement and the Financial Stability Board.

71. Systematic measures are needed to address women's underrepresentation in arrangements of governance, where key policy decisions and resource allocations are often made without taking gender into account, thus perpetuating gender

[16] There has been discussion of these issues in various forums, including the United Nations and the IMF Executive Board, although no concrete conclusions have been reached.

[17] See the Doha Declaration on Financing for Development (General Assembly resolution 63/239, annex), para. 77.

inequalities. Reforms need to ensure women's equal participation so as to increase their voice and influence in economic governance.

72. Efforts are needed to fully realize the potential of existing multilateral frameworks. The international community must join forces to conclude the Doha round of multilateral trade negotiations and move towards a free, fair, open and equitable trading system that takes the interests of developing countries into account, particularly those of the least developed countries, including through special and differential treatment.

73. Efforts are also needed to address the absence of multilateral frameworks to tackle a wide range of pressing issues related to global economic governance and development. A more development-friendly global economic governance system should assist developing countries in achieving long-term debt sustainability, improving tax cooperation, promoting less volatile commodity markets, guaranteeing food security, promoting gender equality, accessing new technologies and protecting migrants' rights and their important economic contributions. There have also been proposals for improving the international financial architecture in support of development. In this context, the Commission of Experts of the President of the General Assembly on Reforms of the International Monetary and Financial System called for consideration of a new global financial authority to coordinate financial regulation, including oversight of certain global rules.[10]

74. Global economic governance should also incorporate mechanisms for anticipating and reacting to economic and social risks, including those associated with natural hazards. The Secretary-General's Global Pulse initiative tracks the impacts of crises on vulnerable populations, working closely with Member States and other partners to improve evidence-based decision-making to protect the vulnerable with actionable information, including by linking together existing early warning systems and databases. Further progress is nevertheless needed to better coordinate international action on risk anticipation and mitigation, and crisis prevention and preparedness, including capacity-building for crisis management in developing countries. This should also include medium- and long-term instruments such as social protection schemes to mitigate the impact of economic crises on vulnerable populations, and disaster risk mapping and reduction measures. A consolidated and comprehensive crisis management framework, including more disaster risk assessment tools, should become part of global economic governance to develop effective solutions to deal with crises and reduce vulnerabilities.[18]

75. Finally, there is need to coordinate policies among developing countries to help promote South-South and triangular cooperation particularly in support of least developed countries. Regional and subregional bodies may provide the appropriate settings to consider relevant issues in many instances since much of South-South cooperation takes place at those levels. Likewise, developing and developed countries engaged in triangular cooperation would benefit from an effective institutional framework consistent with greater harmonization of practices.

[18] See http://www.unglobalpulse.org/.

V. Conclusions

76. **There is a call for a small representative body within the United Nations to enhance coordination, cooperation, coherence and effective policymaking across the United Nations system. Serious consideration should be given to various proposals made in this regard. Any credible and sustainable mechanism should be constituency-based and balance effectiveness with inclusiveness and representation. It should involve a small number of actors in order to be prompt and effective; engage with all countries; have the capacity, resources and clout to undertake, implement and enforce decisions; and ensure its work is transparent.**

77. **Measures should be considered to enhance the functioning and working methods of relevant United Nations organs (especially the Economic and Social Council) and their subsidiary machinery, improve coordination and efficiency at the inter-agency and operational levels and enhance engagement with non-State actors. These efforts need to be continuous, with the performance of United Nations organs and bodies periodically reviewed and, when necessary, reformed. These measures may run parallel to and complement top-down reform.**

78. **There is need for enhanced engagement between the United Nations and the G20. Due consideration should be given to measures to ensure the complementarity of efforts involving the G20 and established multilateral organizations. More appropriate roles for the Secretary-General, heads of United Nations intergovernmental bodies and their representatives in G20 meetings would enable them to more effectively advocate in the broader interest of the world community and enhance relations between the United Nations and the G20.**

79. **Efforts should continue to further enhance the voice and representation of developing countries in the Bretton Woods institutions and other norm- and standard-setting bodies, as called for in the Monterrey Consensus, the Doha Declaration on Financing for Development and the Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development. Moreover, the international community should address gaps in multilateral frameworks in areas such as financial regulation, international tax cooperation and sovereign debt restructuring.**

80. **Regional institutions and arrangements should be better incorporated into the framework for global economic governance. This framework should evolve into a multilayered system, including a strong network of regional and subregional institutions, including the regional commissions, development banks, reserve funds, and trade and investment agreements. The role of the Economic and Social Council in strengthening linkages between governance mechanisms at the regional and global levels should be correspondingly enhanced.**

81. **Going forward, Member States may wish to discuss global economic governance and development, with a view to enhancing the coherence of all three pillars of sustainable development. These deliberations should integrate the outcome to the 2012 Rio+20 Conference, in particular measures to strengthen the institutional framework for sustainable development at all levels.**

United Nations A/66/507

General Assembly

Distr.: General
10 October 2011

Original: English

Sixty-sixth session
Agenda item 143
Administration of justice at the United Nations

Letter dated 7 October 2011 from the Secretary-General addressed to the President of the General Assembly

I have the honour to transmit the letter dated 5 October 2011 that I received from Judge Memooda Ebrahim-Carstens, President of the United Nations Dispute Tribunal (see annex), forwarding observations by the judges of the Dispute Tribunal on the recommendations contained in my report on the administration of justice at the United Nations (A/66/275) and the report of the Internal Justice Council (A/66/158), due to be considered by the Sixth Committee under agenda item 143.

Judge Ebrahim-Carstens requests that the letter and its enclosure be circulated as a document of the General Assembly.

(*Signed*) **BAN** Ki-moon

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Annex

I have the honour to write to you on behalf of the judges of the United Nations Dispute Tribunal to convey our concern regarding certain recommendations contained in the report of the Secretary-General (A/66/275) and the report of the Internal Justice Council (A/66/158) under item 143 of the agenda of the General Assembly, entitled "Administration of justice at the United Nations". In this regard, I am attaching a document which includes brief observations by the judges of the Dispute Tribunal on the above-mentioned reports (see enclosure).

I should be grateful if the present letter and its enclosure could be communicated to the President of the General Assembly for its transmittal to, and consideration by, the Sixth Committee, and for its circulation as a document under agenda item 143.

(*Signed*) Memooda **Ebrahim-Carstens**
President

Enclosure

Administration of justice at the United Nations

Observations by the judges of the United Nations Dispute Tribunal on recommendations contained in the report of the Secretary-General (A/66/275) and the report of the Internal Justice Council (A/66/158)

1. After much careful thought, the judges of the Dispute Tribunal have decided that it is their duty to the General Assembly, as independent judges, to present a balanced view of the issues currently being canvassed in the report of the Secretary-General (A/66/275) and in the report of the Internal Justice Council (A/66/158) under item 143 of the agenda, in relation to the work of the Tribunal.

2. In particular, the judges are concerned about what appears to be an attempt in the report of the Secretary-General to undermine the integrity of the Tribunal and its independence by presenting a misleading and one-sided account of the Dispute and Appeals Tribunals' case law. The judges are further of the view that, in any event, it is premature to propose fundamental changes to the Statute of the Tribunal based on only two years' experience.

3. In recognition and appreciation of the heavy workload of the General Assembly, the judges will make hereinafter a few brief observations and remain available, if requested, to provide further information or clarification.

Suspensory effect of appeals of interlocutory orders

(See A/66/275, paras. 264-266)

4. At paragraph 266 of the report, the Secretary-General recommends amendments to the Statutes of the Dispute and Appeals Tribunals to ensure that: (a) interlocutory orders issued by the Dispute Tribunal may be subject to appeal; and (b) that such appeal should have the effect of suspending the execution of such orders.

5. Firstly, the issue of appeals against interlocutory orders is already well settled in the case law of the Appeals Tribunal. In *Bertucci* (Judgement No. 2010-UNAT-062), the United Nations Appeals Tribunal stated that the Dispute Tribunal "is in the best position to decide what is appropriate for the fair and expeditious disposal of a case and to do justice to the parties", and that the Appeals Tribunal "will not interfere lightly with the broad discretion of the Dispute Tribunal in the management of cases". The Appeals Tribunal concluded that, "generally, only appeals against final judgements are receivable", noting that "[c]ases before the United Nations Dispute Tribunal could seldom proceed if either party were able to appeal to the Appeals Tribunal if dissatisfied with an interlocutory decision". In its jurisprudence, the Appeals Tribunal has clarified that appeals against interlocutory orders may only be entertained when the Dispute Tribunal exceeds its jurisdiction. The issue having been decided by the Appeals Tribunal, any change to the statute is unnecessary.

6. Secondly, the report of the Secretary-General does not provide a fair representation of the scope and purpose of the amendment to article 19 of the Rules of Procedure, as adopted by the judges of the Dispute Tribunal. The amendment to article 19 is necessary to secure compliance with the Tribunal's interlocutory orders.

At paragraph 265, the report misinterprets this amendment as "codifying" the authority of the Tribunal to prohibit the party appealing an interlocutory order from appearing before it. This is a misrepresentation, and the amendment simply allows the Tribunal to impose appropriate sanctions for the failure by a party to comply with case management orders, and is a common provision in many national and international jurisdictions.

7. Thirdly, the recommendation of the Secretary-General would mean that an appeal against an interlocutory order (e.g., an order to produce a document or to summon a witness) would put the case before the Dispute Tribunal on hold pending the determination of the appeal, also blocking the Tribunal's case management powers as stated by the Appeals Tribunal in *Bertucci*. It would enable either party to paralyze the process, thus preventing the Dispute Tribunal from the speedy and cost-efficient disposal of cases for which it has been praised by the General Assembly.

8. Fourthly, in the case of orders suspending the implementation of the contested administrative decision, the recommended automatic suspension pending appeal would nullify the power of the Tribunal to grant interim relief, since the Administration could unilaterally block the execution of such an order by filing an appeal. The stay of execution of orders would render the granting of suspension of action orders obsolete.

9. Finally, it should be noted that, on 3 October 2011, the Appeals Tribunal rendered a judgement in which it reiterated its established jurisprudence that "appeals against most interlocutory decisions will not be receivable, for instance, decisions on matters of evidence, procedure, and trial conduct", and that "[a]n interlocutory appeal is only receivable in cases where the Dispute Tribunal has clearly exceeded its jurisdiction of competence". In the same judgement, the Appeals Tribunal pointed out that article 8, paragraph 6, of its rules of procedure (according to which "[t]he filing of an appeal shall suspend the execution of the judgement contested") "does not apply to interlocutory appeals", and that "[i]t falls to the Appeals Tribunal to decide whether the United Nations Dispute Tribunal exceeded its jurisdiction and the Administration cannot refrain from executing an order by filing an appeal against it on the basis that the Dispute Tribunal exceeded its jurisdiction" (*Villamoran* 2011-UNAT-160).

10. For all these reasons, the judges strongly oppose this recommendation, which would render meaningless the exercise of the jurisdiction vested in the Dispute Tribunal.

Jurisdiction of the Dispute Tribunal over acts and omissions by independent entities in connection with the performance of their operational mandates

(See A/66/275, paras. 270-293)

11. The examination of this issue in the report of the Secretary-General includes several inaccuracies and misinterpretations regarding the case law of the Dispute and Appeals Tribunals.

12. With respect to the Office of Internal Oversight Services (OIOS), the report (notably, at para. 273 (a)) omits any reference to various published rulings in which the Dispute and Appeals Tribunals have clearly stated that OIOS decisions fall under the Dispute Tribunal's jurisdiction (see *Nwuke* 2010-UNAT-099, *Comerford-Verzuu*

UNDT/2011/005, *Kunanyakan* UNDT/2011/006, and *Hashimi* order No. 29 (NY/2011) (on suspension of action)).

13. Similarly, with respect to the Ethics Office, the statement (see A/66/275, para. 273 (b)) that the Dispute Tribunal "has not yet issued a final judgement addressing the issue of whether a determination made by the Ethics Office regarding retaliation constitutes an administrative decision" is incorrect. In *Hunt-Matthes* UNDT/2011/063 and *Wasserstrom* order No. 19 (NY/2010), the Dispute Tribunal determined that decisions of the Ethics Office not to find prima facie retaliation have direct consequences for the rights of the applicant, thus making them appealable administrative decisions. This issue is yet to be determined by the Appeals Tribunal.

14. With respect to the Office of Staff Legal Assistance, the report of the Secretary-General (at para. 273 (c)) appears to ignore the existing jurisprudence of the Dispute and Appeals Tribunals. In *Larkin* UNDT/2011/028 and *Worsley* UNDT/2011/024, the Tribunal found that while the Office of Staff Legal Assistance enjoys functional or operational independence, its decision whether or not to represent a staff member constitutes an administrative decision within the meaning of article 2, paragraph 1 (a), of the statute. The Appeals Tribunal held in *Larkin* 2011-UNAT-135 that decisions taken by the Office of Staff Legal Assistance may have an impact on a staff member's terms of appointment and therefore may fall within the jurisdiction of the Dispute Tribunal, without it interfering with the professional independence of counsel.

15. The statement contained at paragraph 274 of the report, that "any guidance of the Appeals Tribunal on these issues may not necessarily be dispositive, as the Dispute Tribunal has emphasized that it will consider rules established by the Appeals Tribunal to be applicable only where they are in 'conformity with general principles of law'" is misleading. This statement (which is repeated also at para. 290 of the report) quotes one decision of the Dispute Tribunal and misinforms the reader about the true extent of the reliance of the Dispute Tribunal in countless cases on the rulings of the Appeals Tribunal as well as on the judgements of the former Administrative Tribunal.

16. The Secretary-General recommends to the General Assembly, at paragraph 280 of his report, that article 2, paragraph 1 (a), of the statute of the Dispute Tribunal be amended to refer to "an administrative decision unilaterally taken by or on behalf of the Secretary-General that is alleged to be in non-compliance with the terms of appointment or the contract of employment". This recommendation is questionable for several reasons.

17. Firstly, the recommendation is based entirely on the alleged ambiguity of the jurisprudence of the Dispute and Appeals Tribunals. As shown above, the jurisprudence in the field is clear.

18. Secondly, the amendment would mean that staff members would be deprived of the possibility of challenging a decision of any of these independent entities before the formal system of administration of justice. This would be tantamount to allowing these entities to exercise power without accountability. The recommendation would consequently raise serious concerns regarding the respect for the rule of law within the Organization, especially taking into account the far-reaching consequences for staff members of decisions taken by such independent entities.

19. Thirdly, because of its imprecise formulation, the amendment could be interpreted by some as meaning that the Organization should be absolved of any responsibility for the conduct of its managers when it can be shown that they acted *ultra vires*, since such conduct would not have truly been carried out "on behalf of the Secretary-General".

20. For all these reasons, the judges oppose the recommendation of the Secretary-General (made twice in the report, at paras. 280 and 293), which is not in conformity with the philosophy and underlying purpose behind the reform of the system of administration of justice decided by the General Assembly.

21. The judges would like to make two additional observations on this section of the report.

22. With regard to paragraph 285, the judges note that the description and interpretation of the *Chen* case, affirmed by the Appeals Tribunal, is selective and misleading. The principle of equal pay for equal work, on the basis of which this case was decided, is a basic rule underlying the conditions of service of staff members and was clearly recognized by the former United Nations Administrative Tribunal (see judgements No. 1113 *Janssen* (2003); No. 1115 *Ruser* (2003) and No. 1450 *Valdes* (2009)).

23. With regard to the examples described in paragraphs 286 to 288 of the report (regarding the International Civil Service Commission), the judges observe that these examples relate to live cases in which the Secretary-General appears before the Tribunal as a party. The discussion in the report of these cases, which are clearly *sub judice*, pending their consideration by the Tribunal, seriously undermines the independence of the formal system of administration of justice and is tantamount to contempt of court.

Redaction of names of staff members

(See A/66/275, paras. 260-263)

24. Paragraph 261 of the report states that staff members identified in judgements of the Tribunal have filed "complaints against judges". The judges concerned have not been informed of the existence or content of any such complaints. The view expressed in the same paragraph of the report, that these complaints "raise concerns about defamation", is legally inappropriate. It is a universal principle inherent to the independence and integrity of the judiciary that judges should enjoy personal immunity in the exercise of their judicial functions and are therefore not subject to complaints for defamation.

25. At its last plenary in New York in June 2011, the Tribunal determined that the redaction of names would be decided on a case-by-case basis and in the light of the circumstances and nature of a case, having full regard to the need to avoid innocent individuals from being identified while ensuring that full effect is given to the principles of transparency and accountability, which are cornerstones of the new system of internal justice. A change in the statute is therefore unnecessary.

Audio recordings of oral hearings

(See A/66/275, paras. 256-259)

26. Paragraph 259 of the report recommends that the General Assembly revise article 7 of the statute of the Dispute Tribunal to "provide that audio recordings or

oral hearings before the Tribunal are to be maintained and made available to the parties upon request". Preparation of professional, fully reliable audio recordings, as well as transcripts, requires professional technical equipment and other resources that the Registries just do not have at the present time. While the Tribunal agrees that audio recordings must be maintained, a proper budgetary allocation should be made to allow for them. Other issues arising are to whom and for what reasons recordings should be provided, bearing in mind the immunity attaching to witnesses and representatives for what is said in court.

Mechanism for addressing complaints against judges

(See A/66/275, paras. 52-60 and A/66/158, para. 7)

27. At paragraph 54 of his report, the Secretary-General recommends, in the absence of a mechanism to deal with complaints against judges, that the General Assembly, as an interim measure, authorize the Internal Justice Council "to investigate complaints that arise against judges, including any complaints that have already arisen, and to provide its report and recommendations on these complaints to the Assembly for any action that it may deem appropriate". On its part, the Internal Justice Council proposes, in its report, that all such complaints be placed before a panel composed of the three external members of the Council.

28. It is the judges' view that, as an interim measure, such complaints should be reviewed by a panel consisting of the President and two judges. The composition of the Internal Justice Council, which includes staff and management representatives, disqualifies it for this task. Furthermore, the body responsible for selecting and recommending candidates to the General Assembly for appointment as judges should not play a key role in the complaints procedure.

29. The judges against whom complaints have apparently been filed have not been notified of the existence and nature of such complaints. In the absence of a code of conduct approved by the General Assembly, any action for misconduct or incapacity initiated against them would contradict the principle of legality. For these reasons, the judges would oppose investigations carried out with regard to past complaints of which they have not been informed.

Recourse mechanisms for non-staff personnel

(See A/65/275, paras. 190 and annex II)

30. At paragraph 190 and in annex II of the report of the Secretary-General, it is proposed that non-staff personnel should not have access to the Dispute Tribunal and that instead they should avail themselves of an arbitration mechanism. The judges submit that the Dispute Tribunal may be an appropriate forum for non-staff personnel to have recourse to judicial proceedings. The setting up of a new mechanism will inevitably incur new and substantial costs, while access to the existing Tribunals will be more cost effective and efficient.

United Nations A/66/508–S/2011/508

General Assembly
Security Council

Distr.: General
11 October 2011
English
Original: Arabic

General Assembly
Sixty-sixth session
Agenda item 36
The situation in the Middle East

Security Council
Sixty-sixth year

Identical letters dated 28 September 2011 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a statistical summary of Israeli violations of Security Council resolution 1701 (2006) committed during the month of July 2011 (see annex).

I should be grateful if you would have the present letter issued as an official document of the sixty-sixth session of the General Assembly, under agenda item 36, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

11-54135 (E) 131011 131011

Please recycle

Annex to the identical letters dated 28 September 2011 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Land violations

Date	*Time*	*Nature of violation*
4 July 2011	1145	Israeli enemy forces broke into the cellular telephone network and sent recorded messages in Arabic offering a reward of $10 million for information about Israelis missing in Lebanon.
5 July 2011	1625	Members of an Israeli enemy patrol at the Abbasiyah Gate directed weapons towards Lebanese territory.
6 July 2011	1110 1220	Israeli enemy personnel who were carrying out maintenance on the technical fence opposite Kafr Killa directed weapons, abuse and offensive language at members of a Lebanese Army patrol, photographed their patrol vehicle and noted its number plate.
	1935 1945	A number of explosions were heard inside the occupied Shab'a Farms.
8 July 2011	1715	Members of an Israeli enemy patrol halted opposite the Fatimah Gate, loaded their weapons and took up combat positions when the sound of firecrackers was heard from a wedding taking place in Kafr Killa.
15 July 2011	1130	An Israeli enemy civilian photographed Lebanese Army observer personnel at their Kafr Killa - Fatimah Gate garden post.
18 July 2011	1615	Members of an Israeli enemy patrol halted at the Fatimah Gate garden and exchanged words with members of the Spanish battalion of the United Nations Interim Force in Lebanon stationed at the observation post.
	2110	From the Bayad position inside occupied Palestinian territory, the Israeli enemy directed a searchlight for two minutes towards the Lebanese Army Mays al-Jabal position.
20 July 2011	1140	An Israeli enemy patrol halted opposite and photographed the Husn Al-Wazzani restaurant.
	1340	An Israeli enemy foot patrol breached the technical fence opposite the Lebanese Army barrier, but did not violate the Blue Line.
30 July 2011	1045	Members of an Israeli enemy patrol breached the technical fence south of Ghajar, in the area with regard to which Lebanon maintains a claim, but did not violate the Blue Line.

Sea violations

Date	*Time*	*Nature of violation*
1 July 2011	0100	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 30 seconds.
	2105	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 20 seconds.
	2130	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 30 seconds.
	2205	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 30 seconds.
	2245	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 20 seconds.
	2310	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 20 seconds.
2 July 2011	2205	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 30 seconds.
	2245	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 30 seconds.
3 July 2011	2200	An Israeli enemy military launch directed a searchlight for 30 seconds towards Lebanese territorial waters in the region of buoys Nos. 2 and 3.
6 July 2011	0030	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0055	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0105	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0127	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 30 seconds.
	0128	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 30 seconds.
	0130	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0133	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for one minute.
	0150	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for seven minutes.
	0200	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.

Date	*Time*	*Nature of violation*
	0210	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0250	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0340	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for three minutes.
11 July 2011	2055	An Israeli enemy military launch fired a flare shell over buoy No. 8, inside Lebanese territorial waters.
12 July 2011	2205	An Israeli enemy military launch directed a searchlight for 20 seconds towards buoy No. 3, inside Lebanese territorial waters.
16 July 2011	2100	From its position opposite Ra's al-Naqurah, the Israeli enemy for 30 seconds directed a searchlight towards Lebanese territorial waters in the region of buoys Nos. 1 and 2.
17 July 2011	2045	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards buoys Nos. 2 and 3 for 25 seconds.
	2110	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards buoys Nos. 2 and 3 for 20 seconds.
18 July 2011	2145	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards buoys Nos. 2, 3 and 4 for four minutes.
20 July 2011	2300	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 30 seconds.
21 July 2011	0317	On two occasions, an Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 40 seconds each time.
	2150	From its position opposite Ra's al-Naqurah, the Israeli enemy for 20 seconds directed a searchlight towards buoys Nos. 2 and 3, inside Lebanese territorial waters.
	2250	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards buoy No. 2 for 20 seconds, inside Lebanese territorial waters.
23 July 2011	2055	From its position opposite Ra's al-Naqurah, the Israeli enemy for 20 seconds directed a searchlight inside Lebanese territorial waters, towards buoys Nos. 2, 3 and 4.
	2210	From its position opposite Ra's al-Naqurah, the Israeli enemy for 30 seconds directed a searchlight inside Lebanese territorial waters, towards buoys Nos. 2, 3 and 4.
25 July 2011	0207	From its position opposite Ra's al-Naqurah, the Israeli enemy for 20 seconds directed a searchlight towards buoys Nos. 2 and 3, inside Lebanese territorial waters.

Date	*Time*	*Nature of violation*
26 July 2011	2325	From its position opposite Ra's al-Naqurah, the Israeli enemy for 20 seconds directed a searchlight towards buoys Nos. 2 and 3, inside Lebanese territorial waters.
28 July 2011	2045	From its position opposite Ra's al-Naqurah, the Israeli enemy for 25 seconds directed a searchlight towards buoys Nos. 2 and 3, inside Lebanese territorial waters.
	2205	From its position opposite Ra's al-Naqurah, the Israeli enemy for 20 seconds directed a searchlight towards buoys Nos. 2 and 3, inside Lebanese territorial waters.
	2235	From its position opposite Ra's al-Naqurah, the Israeli enemy for 30 seconds directed a searchlight towards buoys Nos. 2 and 3, inside Lebanese territorial waters.
30 July 2011	0107	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 40 seconds.
	0117	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 25 seconds.
	0124	An Israeli enemy military launch directed a searchlight towards Lebanese territorial waters for 20 seconds.
31 July 2011	0015	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0053	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0307	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0315	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 40 seconds.
	0342	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0414	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0449	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for one minute.
	0457	From its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for 30 seconds.

Air violations

Date	*Time*	*Nature of violation*
1 July 2011	0518	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 0601 hours.
	0930	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Bekaa and the South before leaving at 2150 hours over Naqurah.
	1820	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving over Alma al-Sha'b at 0330 hours on 2 July 2011.
2 July 2011	0910	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1700 hours over Rumaysh.
	1210	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Western Bekaa and the South before leaving at 2320 hours over Alma al-Sha'b.
3 July 2011	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1905 hours over Naqurah.
	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 2230 hours over Rumaysh.
	0730	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Beirut before leaving at 1830 hours over Naqurah.
	2016	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0030 hours on 4 July.
4 July 2011	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South, Riyaq and Baalbek before leaving at 1555 hours over Naqurah.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South, Riyaq and Baalbek before leaving at 1805 hours over Naqurah.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1835 hours over Alma al-Sha'b.
	1005	Six Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1135 hours over Kafr Killa.

Date	*Time*	*Nature of violation*
	2130	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Sidon. It circled over the sea between Beirut and Tyre before leaving at 2250 hours over the sea off Naqurah.
5 July 2011	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Bekaa before leaving over Naqurah at 0310 hours on 6 July 2011.
	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1835 hours over Naqurah.
	1420	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the northern Bekaa and Al-Arz (the Cedars) before leaving at 1840 hours over Kafr Killa.
	1430	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1010 hours on 6 July 2011.
	2015	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 2017 hours.
6 July 2011	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1840 hours over Rumaysh.
	0720	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1800 hours over Alma al-Sha'b.
	0805	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2110 hours over Rumaysh.
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South, Hirmil and Al-Arz (the Cedars) before leaving at 1700 hours over Rumaysh.
	1945	An Israeli enemy warplane violated Lebanese airspace and circled over the South before leaving at 1947 hours.
	2115	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 2117 hours.
7 July 2011	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek, Hirmil, Beirut and its suburbs and the South before leaving over Naqurah at 0545 hours on 8 July.
	1010	An Israeli enemy aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Western Bekaa and the South before leaving at 1250 hours over Alma al-Sha'b.

Date	*Time*	*Nature of violation*
	1015	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1115 hours over Alma al-Sha'b.
	1425	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 1430 hours.
8 July 2011	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek, Hirmil and Beirut before leaving at 1815 hours over Naqurah.
	1140	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs and Jubayl before leaving at 1415 hours over Yarun.
	1613	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1906 hours.
9 July 2011	0333	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1611 hours.
	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1840 hours over Rumaysh.
	1022	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0600 hours on 10 July 2011.
	1122	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 2400 hours.
10 July 2011	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1410 hours over Rumaysh.
	0950	Six Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over Beirut and the South before leaving at 1100 hours over Alma al-Sha'b.
	1005	Two Israeli enemy warplanes violated Lebanese airspace, entering over Naqurah. They circled over Beirut and the South before leaving at 1145 hours over Alma al-Sha'b.
	1300	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1600 hours over Naqurah.
	1551	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1836 hours.
	2020	An Israeli enemy warplane violated Lebanese airspace, circling over the Kafr Shuba area before leaving at 2025 hours.

Date	*Time*	*Nature of violation*
	2221	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 0310 hours on 11 July 2011.
11 July 2011	0603	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1803 hours.
	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1600 hours over Rumaysh.
	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1800 hours over Rumaysh.
	1035	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1230 hours over Naqurah.
	1035	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 2030 hours over Alma al-Sha'b.
	1751	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 2315 hours.
12 July 2011	0020	An Israeli enemy aircraft violated Lebanese airspace and circled over the South before leaving at 2003 hours.
	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1830 over Alma al-Sha'b.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1830 hours over Alma al-Sha'b.
	2130	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering to the west of Tyre. It circled over the sea between Tyre and Beirut before leaving over the sea off Naqurah at 0030 on 13 July 2011.
13 July 2011	0030	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 1157 hours.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Bekaa and the South before leaving at 1950 hours over Rumaysh.
	0805	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Western Bekaa and the South before leaving at 1815 hours over the sea to the west of Naqurah.

Date	*Time*	*Nature of violation*
	0905	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Western Bekaa and the South before leaving at 1810 hours over Naqurah.
	1020	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Bekaa and the South before leaving at 1400 hours over Alma al-Sha'b.
14 July 2011	0538	An Israeli enemy aircraft violated Lebanese airspace and circled over the South before leaving at 1240 hours
	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Beirut and the South before leaving at 1145 hours over Naqurah.
	0720	An enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1510 hours over Rumaysh.
	1105	An enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1800 hours over Rumaysh.
	1130	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South, Riyaq and Baalbek before leaving over Alma al-Sha'b at 0600 hours on 15 July 2011.
15 July 2011	0615	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1550 hours over Naqurah.
16 July 2011	0613	An Israeli enemy aircraft violated Lebanese airspace, circling over the South before leaving at 1736 hours.
	0745	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South, Riyaq and Baalbek before leaving at 1810 hours over Kafr Killa.
	1946	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 2259 hours.
17 July 2011	0122	An Israeli enemy aircraft violated Lebanese airspace and circled over the South before leaving at 0956 hours.
	0725	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Western Bekaa before leaving at 1800 hours over Kafr Killa.
	0730	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1630 hours over Naqurah.

Date	*Time*	*Nature of violation*
	1035	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1800 hours over Alma al-Sha'b.
	1815	An Israeli enemy aircraft violated Lebanese airspace and circled over the South before leaving at 2310 hours.
18 July 2011	0016	An Israeli enemy reconnaissance aircraft violated Lebanese airspace and circled over the South before leaving at 0032 hours.
	0033	An Israeli enemy aircraft violated Lebanese airspace and circled over the South before leaving at 0345 hours.
	0515	An Israeli enemy aircraft violated Lebanese airspace and circled over the South before leaving at 0535 hours.
	0625	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and the Bekaa before leaving at 1730 hours over Rumaysh.
	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1500 hours over Naqurah.
	1050	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 2200 hours over Rumaysh.
19 July 2011	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and Beirut before leaving at 2020 hours over Rumaysh.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1510 hours over Naqurah.
	1025	Eight Israeli enemy warplanes violated Lebanese airspace, entering over Alma al-Sha'b. They circled over all regions of Lebanon before leaving at 1130 hours over Alma al-Sha'b.
	1455	Two Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh. They circled over the Shuf and the South before leaving at 1520 hours over Rumaysh.
	1455	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Shuf and the South before leaving at 1540 hours over Alma al-Sha'b.
	1540	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1835 hours over Alma al-Sha'b.

Date	*Time*	*Nature of violation*
	1605	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving over Naqurah at 0145 hours on 20 July 2011.
	2147	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0600 hours on 20 July 2011.
20 July 2011	0830	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Bekaa, the South and Beirut before leaving at 1940 hours over Naqurah.
	1045	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Bekaa, the South and Beirut before leaving at 2050 hours over the sea off Naqurah.
	1305	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving over Alma al-Sha'b at 1610 hours.
	2100	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Naqurah. It circled over the sea between Sidon and Naqurah before leaving over the sea off Tyre at 2340 hours.
	2217	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 0201 hours on 21 July 2011.
21 July 2011	0557	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0615 hours.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South and the Bekaa before leaving over Naqurah at 0330 hours on 22 July 2011.
	0725	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1805 hours over Rumaysh.
	1010	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea to the west of Naqurah. They circled over all regions of Lebanon before leaving at 1210 hours over the sea off Naqurah.
	1010	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1210 hours over Kafr Killa.
	1055	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1425 hours over Rumaysh.
22 July 2011	0625	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1400 hours over Naqurah.

Date	*Time*	*Nature of violation*
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1820 hours over Naqurah.
	2200	An Israeli enemy warplane violated Lebanese airspace, circling over the South before leaving at 2210 hours.
	2030	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 0216 hours on 23 July 2011.
23 July 2011	0458	An Israeli enemy reconnaissance aircraft violated Lebanese airspace and circled over the South before leaving at 1717 hours.
	0840	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek and the South before leaving at 1730 hours over Rumaysh.
	1830	An Israeli enemy aircraft violated Lebanese airspace and circled over the South before leaving at 2016 hours.
	2121	An Israeli enemy reconnaissance aircraft violated Lebanese airspace and circled over the South before leaving at 0320 hours on 24 July 2011.
24 July 2011	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South and the Western Bekaa before leaving at 1300 hours over Naqurah.
	2100	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Tyre. It circled over the sea between Beirut and Tyre before leaving at 2335 hours over the sea off Naqurah.
	2107	An Israeli enemy aircraft violated Lebanese airspace and circled over the South before leaving at 0536 hours on 25 July 2011.
25 July 2011	1035	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1130 hours over the sea off Naqurah.
	1047	Four Israeli enemy warplanes violated Lebanese airspace, entering over the sea off Juniyah. They circled over the sea between Juniyah and Shikka and then over all regions of Lebanon before leaving at 1215 hours to the west of Naqurah.
	1055	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1230 hours over the sea off Naqurah.
	1100	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1235 hours over the sea off Naqurah.

Date	*Time*	*Nature of violation*
	1200	Four Israeli enemy warplanes violated Lebanese airspace, entering over Jubayl. They circled over all regions of Lebanon before leaving at 1235 hours over the sea off Naqurah.
	1905	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea to the west of Naqurah. It circled over the South before leaving over Rumaysh at 0525 hours on 26 July 2011.
26 July 2011	0620	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1145 hours over Rumaysh.
	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the Western Bekaa and the South before leaving at 1600 hours over Naqurah.
	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs and the South before leaving over at 1200 hours over Alma al-Sha'b.
	0835	Four Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving over at 1045 hours over Alma al-Sha'b.
	0925	Four Israeli enemy warplanes violated Lebanese airspace, entering over Rumaysh. They circled over all regions of Lebanon before leaving at 1130 hours over Alma al-Sha'b.
	1115	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1920 hours over Rumaysh.
	1245	Two Israeli enemy warplanes violated Lebanese airspace, entering over the sea to the west of Juniyah. They circled over all regions of Lebanon before leaving at 1400 hours over Alma al-Sha'b.
	1505	An Israeli enemy reconnaissance aircraft violated Lebanese airspace and circled over the South before leaving at 2140 hours.
	2012	An Israeli enemy aircraft violated Lebanese airspace and circled over the South before leaving at 2224 hours.
27 July 2011	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1820 hours over Naqurah.
	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1730 hours over Rumaysh.

Date	*Time*	*Nature of violation*
	1015	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and the Western Bekaa before leaving at 2220 hours over Alma al-Sha'b.
	1820	An Israeli enemy reconnaissance aircraft violated Lebanese airspace and circled over the South before leaving at 0915 hours on 28 July 2011.
28 July 2011	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1140 hours over Kafr Killa.
	0710	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1840 hours over Kafr Killa.
	0740	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1425 hours over Rumaysh.
	1035	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over Dahr al-Baydar and the South before leaving at 1120 hours over Alma al-Sha'b.
	2010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Bekaa before leaving over Alma al-Sha'b at 0635 hours on 29 July 2011.
	2345	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Tyre. It circled over the sea between Beirut and Tyre before leaving over the sea off Naqurah at 0045 hours on 29 July 2011.
29 July 2011	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace and circled over the South before leaving at 1743 hours.
	1920	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Western Bekaa and the South before leaving over Naqurah at 0335 hours on 30 July 2011.
30 July 2011	0010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace and circled over the South before leaving at 1557 hours.
	1539	An Israeli enemy reconnaissance aircraft violated Lebanese airspace and circled over the South before leaving at 0004 hours on 31 July 2011.
31 July 2011	0705	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the Western Bekaa and the South before leaving at 1610 hours over Naqurah.
	0730	An Israeli reconnaissance aircraft violated Lebanese airspace, circling over the South before leaving at 2329 hours.

Date	*Time*	*Nature of violation*
	0830	An Israeli enemy warplane violated Lebanese airspace, circling over Kafr Killa and Nabi Aouedi before leaving at 1115 hours.
	1100	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1925 hours over Naqurah.
	1250	An Israeli enemy warplane violated Lebanese airspace, circling over Shab'a — Kafr Shuba before leaving at 1115 hours.

United Nations A/66/509

General Assembly

Distr.: General
11 October 2011

Original: English

Sixty-sixth session
Agenda item 115 (g)
Appointments to fill vacancies in subsidiary organs and other appointments

Appointment of members of the Joint Inspection Unit

Note by the Secretary-General

1. Articles 2, 3 and 4 of the statute of the Joint Inspection Unit, contained in the annex to General Assembly resolution 31/192 of 22 December 1976, provide as follows:

Article 2

1. The Unit shall consist of not more than eleven Inspectors, chosen from among members of national supervision or inspection bodies, or from among persons of a similar competence on the basis of their special experience in national or international administrative and financial matters, including management questions. The Inspectors shall serve in their personal capacity.

2. No two Inspectors shall be nationals of the same State.

Article 3

1. Starting from the thirty-second session of the General Assembly, in 1977, the President of the General Assembly shall consult with Member States to draw up, with due regard to the principle of equitable geographical distribution and of reasonable rotation, a list of countries which would be requested to propose candidates who meet the qualifications mentioned in article 2, paragraph 1, above.

2. The President of the General Assembly, through appropriate consultations, including consultations with the President of the Economic and Social Council and with the Chairman of the Administrative Committee on Coordination [now the United Nations System Chief Executives Board for Coordination], shall review the qualifications of the proposed candidates. After further consultations, if necessary, with the States concerned, the President of the General Assembly shall submit the list of candidates to the Assembly for appointment.

(...)

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Please recycle

Article 4

1. The duration of the appointments of the Inspectors shall be five years, renewable for one further term (...).

2. An Inspector appointed to replace one whose term of office has not expired shall hold office for the remainder of that term, provided it is not less than three years. Otherwise the duration of the appointment shall be for a full term.

3. An Inspector may resign on giving six months' notice to the Chairman of the Unit.

(...)

5. The Chairman of the Unit shall notify the Secretary-General of any vacancy for the necessary administrative action. Such notification shall make the post vacant.

2. On 5 September 2011, Inspector Enrique Román-Morey (Peru) submitted his resignation, effective 31 October 2011, to the Chair of the Joint Inspection Unit. Inspector Román-Morey was appointed by the General Assembly on 9 October 2007 for a five-year term of office, beginning on 1 January 2008 and expiring on 31 December 2012. In accordance with article 4, paragraph 5, of the statute, the Chair notified the Secretary-General on 6 September 2011 of the vacancy and of his decision to waive the requirement of six months' notice stipulated in article 4, paragraph 3, of the statute. It will therefore be necessary for the Assembly, at its sixty-sixth session, to appoint one person to fill the resulting vacancy. In accordance with article 4, paragraph 2, of the statute, the person so appointed will serve for a full term. In order for consultations to be held, as stipulated in article 3, and to align the term of office with that of the other Inspectors, the Assembly may wish to consider filling the vacancy for a term of office beginning on 1 January 2012 and expiring on 31 December 2016.

3. By its decision 64/425, the General Assembly appointed five members to the Joint Inspection Unit for a term of office beginning on 1 January 2011 and expiring on 31 December 2015. As at 1 January 2011, the Joint Inspection Unit was composed of the following members:

Mr. Gérard Biraud (France)***
Mr. Nikolay V. Chulkov (Russian Federation)*
Mr. Papa Louis Fall (Senegal)***
Mr. Even Francisco Fontaine Ortiz (Cuba)*
Mr. Tadanori Inomata (Japan)**
Mr. István Posta (Hungary)***
Mr. Enrique Román-Morey (Peru)*
Mr. Cihan Terzi (Turkey)***
Ms. M. Deborah Wynes (United States of America)*
Mr. Yishan Zhang (China)*
Mr. Mohamed Mounir Zahran (Egypt)*

* Term of office expires on 31 December 2012.
** Term of office expires on 31 December 2014.
*** Term of office expires on 31 December 2015.

4. By its resolution 61/238, the General Assembly decided that, beginning on 1 January 2008, the President of the General Assembly, when drawing up a list of countries that would be requested to propose candidates, in accordance with article 3, paragraph 1, of the statute of the Unit, would invite Member States to submit the names of the countries and their respective candidates simultaneously, on the understanding that the candidates submitted were the candidates that the respective Member States intended to propose, to the extent possible, for appointment by the General Assembly, in accordance with article 3, paragraph 2, of the statute.

5. Additionally, in its resolution 59/267, the General Assembly stressed the importance of ensuring that candidates had experience in at least one of the following fields: oversight, audit, inspection, investigation, evaluation, finance, project evaluation, programme evaluation, human resources management, management, public administration, monitoring and/or programme performance, as well as knowledge of the United Nations system and its role in international relations.

6. After holding the consultations described in article 3, paragraph 2, of the statute, including consultations with the President of the Economic and Social Council and with the Secretary-General in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, the President of the General Assembly will submit the name of the candidate to the Assembly for appointment.

United Nations A/66/509/Corr.1

General Assembly

Distr.: General
19 October 2011

Original: English

Sixty-sixth session
Agenda item 115 (g)
Appointments to fill vacancies in subsidiary organs and other appointments

Appointment of members of the Joint Inspection Unit

Note by the Secretary-General

Corrigendum

Paragraph 3

The first sentence of the paragraph *should read*

3. By its decision 64/425, the General Assembly appointed four members to the Joint Inspection Unit for a term of office beginning on 1 January 2011 and expiring on 31 December 2015.

11-55564 (E) 191011

Please recycle

United Nations A/66/510

General Assembly

Distr.: General
11 October 2011

Original: English

Sixty-sixth session
Agenda items 9, 133 and 134

Report of the Economic and Social Council

Programme budget for the biennium 2010-2011

Proposed programme budget for the biennium 2012-2013

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2011

Report of the Secretary-General

Summary

The present report details budgetary requirements resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2011. The additional requirements arising from those resolutions and decisions relate to the biennium 2012-2013 and are estimated at $572,900 under the regular budget. All of those requirements are expected to be absorbed within the resources provided under the proposed programme budget for the biennium 2012-2013 and, therefore, no additional appropriation would be required from the General Assembly. Additional extrabudgetary resources in the amount of $500,000 would be sought in 2012-2013 for the implementation of the activities requested in Council resolution 2011/14 on promoting regional cooperation for enhanced energy security and the sustainable use of energy in Asia and the Pacific.

11-54164 (E) 181011

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I. Introduction

1. The present report is submitted to inform the General Assembly of the additional requirements resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2011.

2. The Council adopted a number of resolutions and decisions in which it authorized relevant functional commissions, standing committees or expert bodies to undertake additional activities, including meetings, which would have an impact on the estimates of the proposed programme budget for the biennium 2012-2013.[1] In accordance with rule 31 of its rules of procedure, the Council was provided, where appropriate, with a statement of programme budget implications prior to the adoption of those resolutions and decisions. The additional requirements entailed by the Council's resolutions and decisions are described below.

3. In its report on the revised estimates resulting from resolutions and decisions adopted by the Council at its substantive session of 1999 (A/54/7/Add.2), the Advisory Committee on Administrative and Budgetary Questions requested that future reports on the subject contain full cost estimates, including both conference and non-conference costs, of additional requirements. In response to that request, the additional requirements resulting from the resolutions and decisions adopted by the Council in 2011 to be financed from the provisions of the proposed programme budget for the biennium 2012-2013, are indicated in the annex to the present report.

4. At its 48th meeting, on 28 July 2011, the Council, by its decision 2011/264, decided to defer consideration of the recommendations contained in the report of the Committee on Economic, Social and Cultural Rights at its forty-fourth and forty-fifth sessions (E/2011/22). At its 50th meeting, on 29 July 2011, the Council, by its decision 2011/274, decided also to defer its consideration of the draft resolution entitled "Review of United Nations support for small island developing States" (E/2011/L.52) to its resumed substantive session. The Council was also informed about programme budget implications of the recommendations in the report of the Committee on Economic, Social and Cultural Rights and of draft resolution E/2011/L.52. The respective revised estimates would be issued as an addendum to the present report, after consideration by the Council of both issues at its resumed substantive session of 2011, as appropriate and if necessary.

[1] The proposed programme budget for the biennium 2012-2013 is contained in documents A/66/6 (Introduction), (Sects. 1-7), (Sect. 8 and Corr.1), (Sects. 9-15), (Sect. 16 and Corr.1), (Sects. 17-25), (Sect. 26 and Corr.1), (Sect. 27), (Sect. 28 and Corr.1), (Sects. 29A-E), (Sect. 29F and Corr.1), (Sect. 29G), (Sects. 30-35), (Sect. 36 and Corr.1) and (Sect. 37) and (Income sects. 1-3).

II. Additional requirements and modifications to the programme of work entailed by resolutions and decisions adopted by the Economic and Social Council

A. Resolution 2011/14: Promoting regional cooperation for enhanced energy security and the sustainable use of energy in Asia and the Pacific

5. In its resolution 2011/14, the Council endorsed Economic and Social Commission for Asia and the Pacific resolution 67/2 on promoting regional cooperation for enhanced energy security and the sustainable use of energy in Asia and the Pacific, in which the Commission requested the Executive Secretary to convene, in 2013, the Asian and Pacific Energy Forum at the ministerial level to discuss the progress achieved in the Asia-Pacific region in addressing the energy security challenges at the regional, national and household levels and to facilitate continuous dialogue among member States with a view to enhancing energy security and working towards sustainable development, as set out in the annex to the Council's resolution.

6. The Secretariat reviewed the terms of the draft resolution and related financial requirements before resolution 67/2 was adopted by the Economic and Social Commission for Asia and the Pacific at its sixty-seventh session. As noted in the statement of programme budget implications on the implementation of the resolution, submitted by the Commission for action by the Council (see E/2011/15/Add.2, para. 1, annex II), the Secretariat had informed the Commission that the full implementation of resolution 67/2 would require additional extrabudgetary resources estimated at $500,000 per year to support the implementation of the required activities and regular budgetary resources in the amount of $50,000 above the estimates under section 19, Economic and social development in Asia and the Pacific of the proposed programme budget for 2012-2013 for the provision of interpretation and translation services for the Asia-Pacific Energy Forum at a ministerial level.

7. Although at the time of the adoption by the Commission of its resolution 67/2, it had been estimated that it would not be possible to absorb the additional requirements of $50,000, upon further review, the Secretary-General advises that, to the extent possible, every effort will be made to provide the additional resources of $50,000 from within the resources to be approved under the proposed programme budget for the biennium 2012-2013. Accordingly, no additional appropriation would be required from the General Assembly as a result of the adoption of the resolution.

B. Resolution 2011/23: Committee of Experts on International Cooperation in Tax Matters

8. Under the terms of paragraphs 5 and 6 of its resolution 2011/23, the Council:

(a) Requested the Secretary-General to submit a report to the Council on the role and work of the Committee in promoting international cooperation in tax matters, including further options to strengthen the work of the Committee and its

cooperation with concerned multilateral bodies and relevant regional and subregional organizations;

(b) Decided to hold a one-day meeting in 2012, in conjunction with the special high-level meeting of the Economic and Social Council with the Bretton Woods institutions, the World Trade Organization and the United Nations Conference on Trade and Development to consider international cooperation in tax matters, including institutional arrangements to promote such cooperation.

9. The report to be submitted by the Secretary-General to the Economic and Social Council and the one-day meeting to be held in 2012 would constitute additions to the conference service workload of the Department for General Assembly and Conference Management and the Office of Central Support Services. Consequently, additional requirements of $79,800 would arise in 2012, including: (a) under section 2, General Assembly and Economic and Social Council affairs and conference management to translate and issue the report (estimated at 8,500 words) into all six official languages and provide interpretation services from and into all six official languages for the one-day meeting ($74,800), and under section 29D, Office of Central Support Services ($5,000), for associated conference support costs.

10. It has been concluded that all possible efforts would be made to meet those requirements within the resources proposed under sections 2 and 29D of the proposed programme budget for the biennium 2012-2013. Accordingly, no additional appropriation is sought from the General Assembly as a result of the adoption by the Economic and Social Council of the resolution.

C. Resolution 2011/24: Committee of Experts on Global Geospatial Information Management

11. Under the terms of paragraph 3 of its resolution 2011/24, the Council decided to establish the Committee of Experts on Global Geospatial Information Management, to be established and administered within existing resources and organized accordingly, and requested the Committee to present to the Economic and Social Council, in 2016, a comprehensive review of all aspects of its work and operations, in order to allow Member States to assess its effectiveness.

12. In addition, in accordance with the terms of reference contained in the annex to the resolution, the Committee would normally meet once a year and may hold, under exceptional circumstances, additional meetings, as appropriate. It is understood that the Committee will hold one session per annum for a period of no more than three days.

13. It is determined that servicing requirements for the new Committee would be modelled on those of existing subsidiary bodies of the Council, which have been active in this substantive field for a number of years, namely the United Nations Regional Cartographic Conference for Asia and the Pacific, the United Nations Regional Cartographic Conference for the Americas, the United Nations Conference on the Standardization of Geographical Names and the United Nations Group of Experts on Geographical Names.

14. In accordance with its terms of reference, the Committee would be composed of experts from all Member States, as well as experts from international organizations as observers. It is expected that all experts would fund their own

travel expenses and any related additional travel requirements, if any, would be met from within existing resources under section 9, Economic and social affairs, of the programme budget for the respective biennium.

15. Since the Committee, in accordance with its terms of reference, would be supported by the Statistics Division of the Department of Economic and Social Affairs and the Cartographic Section of the Department of Field Support, it is considered that the meetings would normally be held in New York, in application of the headquarters principle and in accordance with the provisions of General Assembly resolution 40/243.

16. Further, it is the understanding of the Secretariat that the annual meeting of the Committee, requiring interpretation services in all six official languages, comprising one session for a period of three days, would be held in New York during the "low-activity" period in the United Nations calendar of conferences and meetings, either in early January or during the month of August. Although additional requirements of $83,500 per annum (or $167,000 per biennium) would arise under section 2, General Assembly and Economic and Social Council affairs and conference management ($68,500 per annum or $137,000 per biennium), and section 29D, Office of Central Support Services ($15,000 per annum or $30,000 per biennium) to provide interpretation services and meeting support services, it is determined that these additional requirements could be absorbed within existing resources under the respective sections, under the condition that these meetings be held during the low activity periods as indicated above. However, if the sessions are to be held outside of the low activity periods, the Secretary-General would make every effort to secure interpretation services. In the event that such requirements cannot be absorbed within existing resources, it is anticipated that such additional requirements would be funded from the trust fund to be established to support the work of the Committee. In the event that the annual meeting of the Committee should be held outside of New York, it is the understanding of the Secretariat that the host Government would be requested to bear the full costs of the meetings.

17. With regard to the additional meetings that may be held under exceptional circumstances, it is the understanding of the Secretariat that any potential additional meetings of the Committee would not require interpretation or documentation services.

18. As regards the documentation requirements of the Committee, it is the understanding of the Secretariat, based on the established practice of similar conferences, that only one pre-session document of 2,000 words (e.g. an agenda) and one post-session document of 10,700 words (e.g. a report to the Economic and Social Council) would be translated into all six official languages, while the in-session documentation, which is of a technical nature, would be formatted, processed and disseminated in English by means of a designated website by the Statistics Division. Consequently, it is estimated that additional requirements of $78,100 per annum (or $156,200 per biennium) would arise under section 2, General Assembly and Economic and Social Council affairs and conference management, to provide the required documentation services for the pre-session and post-session documents. The Secretary-General would endeavour to provide the documentation services, to the extent possible, within existing resources and would request financial support from extrabudgetary resources, namely the trust fund to be established to support the work of the Committee, to cover the costs beyond the

absorption capacity, subject to the level of resources to be authorized by the General Assembly for the biennium 2012-2013.

19. The Secretariat was further informed and had received firm commitment from the Government of the Republic of Korea that the first session of the Committee would be hosted by the Republic of Korea in October 2011. It is the understanding of the Secretariat that the host Government would cover the full cost of the meetings, including interpretation and other related and associated costs. Therefore, there are no programme budget implications for the biennium 2010-2011 resulting from the adoption of the resolution.

20. As regards the requirements for the biennium 2012-2013 and beyond, the Secretary-General will endeavour to secure interpretation and documentation services, to the extent possible, and may request financial support from the trust fund to be established to support the work of the Committee, or request the host Government to bear the full costs in the event that the meetings should be held outside of New York. Accordingly, no additional appropriation is sought from the General Assembly as a result of the adoption by the Economic and Social Council of the resolution.

D. Decision 2011/258: Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

21. Under the terms of subparagraphs (d), (e) and (f) of decision 2011/258, the Council:

(a) Reaffirmed Commission on Narcotic Drugs resolution 52/13 of 20 March 2009 and Commission on Crime Prevention and Criminal Justice resolution 18/3 of 24 April 2009, and decided to renew the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime until the sessions of the Commissions to be held in the first half of 2013, at which time the Commissions would carry out a thorough review of the functioning of the working group and consider the extension of its mandate;

(b) Decided that the standing open-ended intergovernmental working group would hold at least two formal meetings, one in the first quarter of 2012 and one in the first quarter of 2013, in advance of the sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice to be held in the first half of those years, and that the dates of those and possible additional informal meetings would be determined by the co-chairs of the working group, in consultation with the Secretariat;

(c) Requested that the relevant documentation be provided to the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime in a timely manner, and approved the provisional agenda of the working group.

22. As a result of the decision, resources in the amount of $98,000 would be required under section 2, General Assembly and Economic and Social Council affairs and conference management, of the proposed programme budget for 2012-2013, including $45,900 for the provision of conference servicing for the working group, meeting for a total of four meetings (two days), with interpretation in the six official languages of the United Nations and $52,100 to cover the translation and issuance of the report of the working group (20 pages, in six languages).

23. It has been concluded that all possible efforts would be made by the secretariat of the Commission on Crime Prevention and Criminal Justice and the Department for General Assembly and Conference Management, to meet those requirements, within the resources proposed under section 2 of the proposed programme budget for the biennium 2012-2013, including determination of the timelines for the submission and processing of documentation, and of the dates for the holding of the meetings of the working groups. Accordingly, no additional appropriation is sought from the General Assembly as a result of the adoption by the Economic and Social Council of the decision.

E. Decision 2011/268: Ad Hoc Advisory Group on Haiti

24. Under the terms of decision 2011/268, the Economic and Social Council, recalling its resolution 2010/28 of 23 July 2010, requested the Group to report on its activities in support of the recovery, reconstruction and development of the country, with recommendations, as appropriate, to the Council for its consideration at its substantive session of 2012.

25. It is expected that the support to be provided to the Ad Hoc Advisory Group would consist of travel, daily subsistence allowance and terminal expenses for five members of the Group (Bahamas, Benin, El Salvador, Haiti and Trinidad and Tobago) and two staff members of the Department of Economic and Social Affairs for a consultation meeting with Bretton Woods institutions in Washington, D.C., in February 2012, and to undertake a mission to Haiti in April 2012. In addition, meeting support services in Haiti would be required. It is anticipated that other members of the Advisory Group would fund their own travel requirements.

26. The resource requirements to undertake consultative missions to Haiti and Washington, D.C., in 2012 are estimated at $21,900, for which provision has not been made in the proposed programme budget for the biennium 2012-2013. This provision would cover: (a) travel, daily subsistence allowance and terminal expenses for five members of the Advisory Group to Haiti and Washington, D.C. ($19,900); and (b) meeting support service requirements in Haiti ($2,000).

27. It is anticipated that the requirements of $21,900 to provide for one mission each to Haiti and Washington, D.C., in 2012 and related meeting support service requirements would be met within the provisions for section 9, Economic and social affairs, of the proposed programme budget for the biennium 2012-2013.

28. It is recalled that, in the report of the Secretary-General on the revised estimates resulting from resolutions adopted by the Economic and Social Council at its substantive session of 2010 (A/65/319), which contained similar requests, the General Assembly was informed that the requirements for 2011 were estimated at $34,100. It is also recalled that in the oral statement to the Council upon the

adoption of decision 2011/211, relating to the decision to appoint the Permanent Representative of France to the United Nations as an additional member of the Group, the Council was informed that the estimated requirements of $3,500 would be met within the resources approved under section 9, Economic and social affairs, of the programme budget for the biennium 2010-2011. The Ad Hoc Advisory Group on Haiti travelled to Haiti in June 2011 at a total cost of $7,872.

29. Taking into account that the actual requirements for financing activities of the Advisory Group in 2011 amounted only to $7,872, and that the Group would undertake missions to Haiti and Washington, D.C., in 2012, it is expected that the additional requirements of $21,900 resulting from decision 2011/268 would be met within the provisions proposed under section 9, Economic and social affairs, of the proposed programme budget for the biennium 2012-2013. Accordingly, no additional appropriation would be required from the General Assembly as a result of the adoption of the decision.

III. Overall requirements

30. The implications of resolutions and decisions adopted by the Council at its substantive session of 2011 would give rise to additional requirements of $572,900 for the biennium 2012-2013, as shown in the table and annex below, all of which are expected to be absorbed within the relevant sections of the approved appropriations for the biennium 2012-2013. Moreover, additional extrabudgetary resources of $500,000 will be sought in 2012-2013 for implementation of the activities requested in Council resolution 2011/14 on promoting regional cooperation for enhanced energy security and the sustainable use of energy in Asia and the Pacific. Adoption by the General Assembly of the resolutions recommended by the Economic and Social Council at its substantive session of 2011 would not entail any additional requirements for the programme budget for the biennium 2010-2011.

Additional requirements under the proposed programme budget for the biennium 2012-2013

(United States dollars)

Section 2. General Assembly and Economic and Social Council affairs and conference management	466 000
Section 9. Economic and social affairs	21 900
Section 19. Economic and social development in Asia and the Pacific	50 000
Section 29D. Office of Central Support Services	35 000
Total	**572 900**

IV. Recommendation

31. **In summary, the implications of the resolutions and decisions adopted by the Council at its substantive session of 2011 would give rise to additional requirements that are expected to be absorbed within the relevant sections of the proposed programme budget for the biennium 2012-2013, totalling $572,900; under: (a) section 2, General Assembly and Economic and Social**

Council affairs and conference management ($466,000); (b) section 9, Economic and social affairs ($21,900); (c) section 19, Economic and social development in Asia and the Pacific ($50,000); and (d) section 29D, Office of Central Support Services ($35,000). Consequently, no additional appropriations are sought over and above the level of funding of the proposed programme budget for the biennium 2012-2013.

32. **Should the actual requirements exceed the absorptive capacity of the aforementioned sections, the additional provisions would be reported in the context of the second performance report for the biennium 2012-2013. Extrabudgetary funds are also expected to cover the need for supplementary resources that have been identified for the biennium 2012-2013.**

Annex

Summary of requirements for the biennium 2012-2013 resulting from resolutions and decisions of the Economic and Social Council at its substantive session of 2011

		Budget section	*Requirements for expenditure[a] (to be absorbed)*	*Extrabudgetary resources*
Economic and Social Council resolutions				
2011/14	Promoting regional cooperation for enhanced energy security and the sustainable use of energy in Asia and the Pacific	19	50 000	500 000
2011/23	Committee of Experts on International Cooperation in Tax Matters	2	74 800	—
		29D	5 000	—
2011/24	Committee of Experts on Global Geospatial Information Management	2	293 200	—
		29D	30 000	—
Economic and Social Council decisions				
2011/258	Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime	2	98 000	—
2011/268	Ad Hoc Advisory Group on Haiti	9	21 900	—
Total			**572 900**	**500 000**

[a] Expected to be provided in the context of the proposed programme budget for 2012-2013.